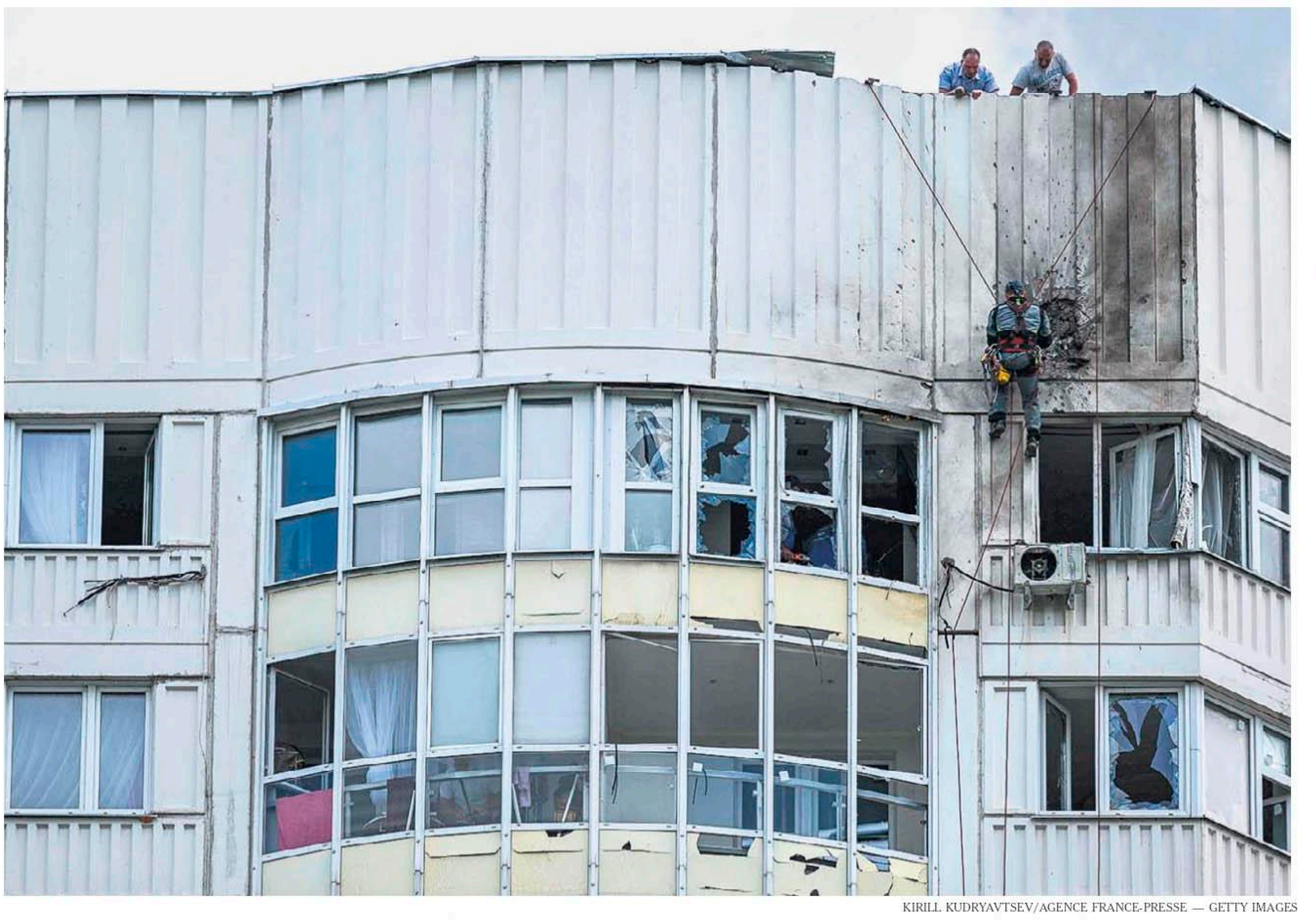
"All the News That's Fit to Print"

The New York Times

LATE EDITION

Today, mostly sunny, hazy because of wildfire smoke, high 74. **Tonight,** partly cloudy, dry, low 58. **Tomorrow,** sunny to partly cloudy, high 83. Weather map appears on Page A16.

VOL. CLXXII ... No. 59,805 © 2023 The New York Times Company NEW YORK, WEDNESDAY, MAY 31, 2023 $4.00



KIRILL KUDRYAVTSEV/AGENCE FRANCE-PRESSE — GETTY IMAGES

Checking damage to a Moscow apartment building Tuesday after a drone attack, which was seen as a failure of Russian air defenses.

STUNG BY DRONES, MOSCOW BECOMES A NERVOUS TARGET

PSYCHOLOGICAL IMPACT

Minor Physical Damage, but Attack on Capital May Signal a Shift

This article is by ***Anatoly Kurmanaev, Ivan Nechepurenko*** *and* ***Eric Nagourney****.*

A barrage of attack drones were downed over Moscow on Tuesday, the first time civilian areas of the Russian capital have been touched directly by the Ukrainian conflict and a signal that a distant war may soon begin to feel somewhat less so for ordinary Russians.

The physical damage was minimal, limited to shattered apartment windows and some minor injuries in an upscale neighborhood, but the psychological impact may prove far bigger for a citizenry that to date has been able to go about daily life with little thought for the bloodshed taking place over the border.

"If the goal was to stress the population, then the very fact that drones have appeared in the skies over Moscow has contributed to that," wrote one pro-war Russian blogger, Mikhail Zvinchuk, who posts under the name Rybar.

The drones, numbering at least eight, came as Russia has been engaged in a particularly sustained aerial assault on Ukraine's own capital, Kyiv. And while President Vladimir V. Putin blamed Ukraine for what he branded "terrorist activity," no one was killed in Moscow on Tuesday. The same could not be said for Kyiv, where one person died in the Russian attacks.

Mykhailo Podolyak, an adviser to President Volodymyr Zelensky, said Ukraine had not been "directly involved" in the attack but was "happy" to watch the events taking place across the border. A spokesman for its air force, which typically maintains a policy of strategic ambiguity over attacks on Russian soil, declined to comment.

Russian officials and Ukrainian allies alike appeared to be choosing their words carefully in responding to the attack.

While the United States has flooded Ukraine with military equipment since the war began in February 2022, American officials have made clear that they do not want it used to hit Russian territory, lest the conflict escalate.

On Tuesday, they appeared to hedge that position a bit.

The State Department and the National Security Council both issued statements saying that the United States does not support strikes inside Russia "as a general matter," but noting that Tuesday marked the 17th time this month that Russia had struck Kyiv.

Britain, another Ukrainian ally, went further.

Its foreign minister, James Cleverly, said that Ukraine had "the right to project force beyond its borders" to undermine Russian attacks and that military targets beyond a nation's borders are "internationally recognized as being legitimate as part of a nation's self-defense." Mr. Cleverly said

Continued on Page A6

Big Companies Keep Prices Up To Save Profits

Fueling Inflation Worry Even as Costs Drop

By TALMON JOSEPH SMITH and JOE RENNISON

The prices of oil, transportation, food ingredients and other raw materials have fallen in recent months as the shocks stemming from the pandemic and the war in Ukraine have faded. Yet many big businesses have continued raising prices at a rapid clip.

Some of the world's biggest companies have said they do not plan to change course and will continue increasing prices or keeping them at elevated levels for the foreseeable future.

That strategy has cushioned corporate profits. And it could keep inflation robust, contributing to the very pressures used to justify surging prices.

As a result, some economists warn, policymakers at the Federal Reserve may feel compelled to keep raising interest rates, or at least not lower them, increasing the likelihood and severity of an economic downturn.

"Companies are not just maintaining margins, not just passing on cost increases, they have used it as a cover to expand margins," said Albert Edwards, a global strategist at Société Générale, referring to profit margins, a measure of how much businesses earn from every dollar of sales.

PepsiCo has become a prime example of how large corporations have countered increased costs, and then some.

Hugh Johnston, the company's chief financial officer, said in February that PepsiCo had raised its prices by enough to buffer further cost pressures in 2023. At the end of April, the company reported that it had raised the average price across its snacks and beverages by 16 percent in the first three months of the year. That added to a similar price increase in the fourth quarter of 2022 and increased its profit margin.

"I don't think our margins are going to deteriorate at all," Mr. Johnston said in a recent interview with Bloomberg TV. "In fact, what we've said for the year is we'll be at least even with 2022, and may in fact increase margins during the course of the year."

The bags of Doritos, cartons of Tropicana orange juice and bottles of Gatorade sold by PepsiCo are now substantially pricier. Customers have grumbled, but they have largely kept buying. Shareholders have cheered. PepsiCo declined to comment.

Other companies that sell consumer goods have also done well while continuing to raise prices.

The average company in the S&P 500 stock index increased its net profit margin from the end of last year, according to FactSet, a data and research firm, counter-

Continued on Page A13

While Debt Bill Goes to House, A Revolt Brews

By CARL HULSE and CATIE EDMONDSON

WASHINGTON — A bipartisan deal to suspend the federal debt ceiling advanced on Tuesday night toward a climactic House vote despite a rebellion by hard-right Republicans who said the party was squandering a chance to force fundamental changes in government spending.

In the legislation's first test, the House Rules Committee voted to clear the way for debate on the plan to be held Wednesday. Seven Republicans voted to send the measure on, while two others joined with Democrats to oppose doing so.

"Not one Republican should vote for this bill," Representative Chip Roy, a Texas Republican and influential member of the ultraconservative House Freedom Caucus, said hours before the committee vote. "We will continue to fight it today, tomorrow, and no matter what happens, there's going to be a reckoning about what just occurred unless we stop this bill by tomorrow."

Mr. Roy and Representative Ralph Norman of South Carolina,

Continued on Page A10

ANGER ON LEFT A provision in the deal orders U.S. agencies to issue permits for a pipeline. PAGE A9

A.I. Poses 'Risk of Extinction,' Tech Leaders Warn

Putting the Necessity of Controls on Par With Nuclear Weapons

By KEVIN ROOSE

A group of industry leaders warned on Tuesday that the artificial intelligence technology they were building might one day pose an existential threat to humanity and should be considered a societal risk on a par with pandemics and nuclear wars.

"Mitigating the risk of extinction from A.I. should be a global priority alongside other societal-scale risks, such as pandemics and nuclear war," reads a one-sentence statement released by the Center for AI Safety, a nonprofit organization. The open letter was signed by more than 350 executives, researchers and engineers working in A.I.

The signatories included top executives from three of the leading A.I. companies: Sam Altman, chief executive of OpenAI; Demis Hassabis, chief executive of Google DeepMind; and Dario Amodei, chief executive of Anthropic.

Geoffrey Hinton and Yoshua Bengio, two of the three researchers who won a Turing Award for their pioneering work on neural networks and are often considered "godfathers" of the modern A.I. movement, signed the statement, as did other prominent researchers in the field. (The third Turing Award winner, Yann LeCun, who leads Meta's A.I. research efforts, had not signed as of Tuesday.)

The statement comes at a time of growing concern about the potential harms of artificial intelligence. Recent advancements in so-called large language models — the type of A.I. system used by ChatGPT and other chatbots — have raised fears that A.I. could soon be used at scale to spread misinformation and propaganda, or that it could eliminate millions of white-collar jobs.

Eventually, some believe, A.I. could become powerful enough that it could create societal-scale disruptions within a few years if nothing is done to slow it down, though researchers sometimes

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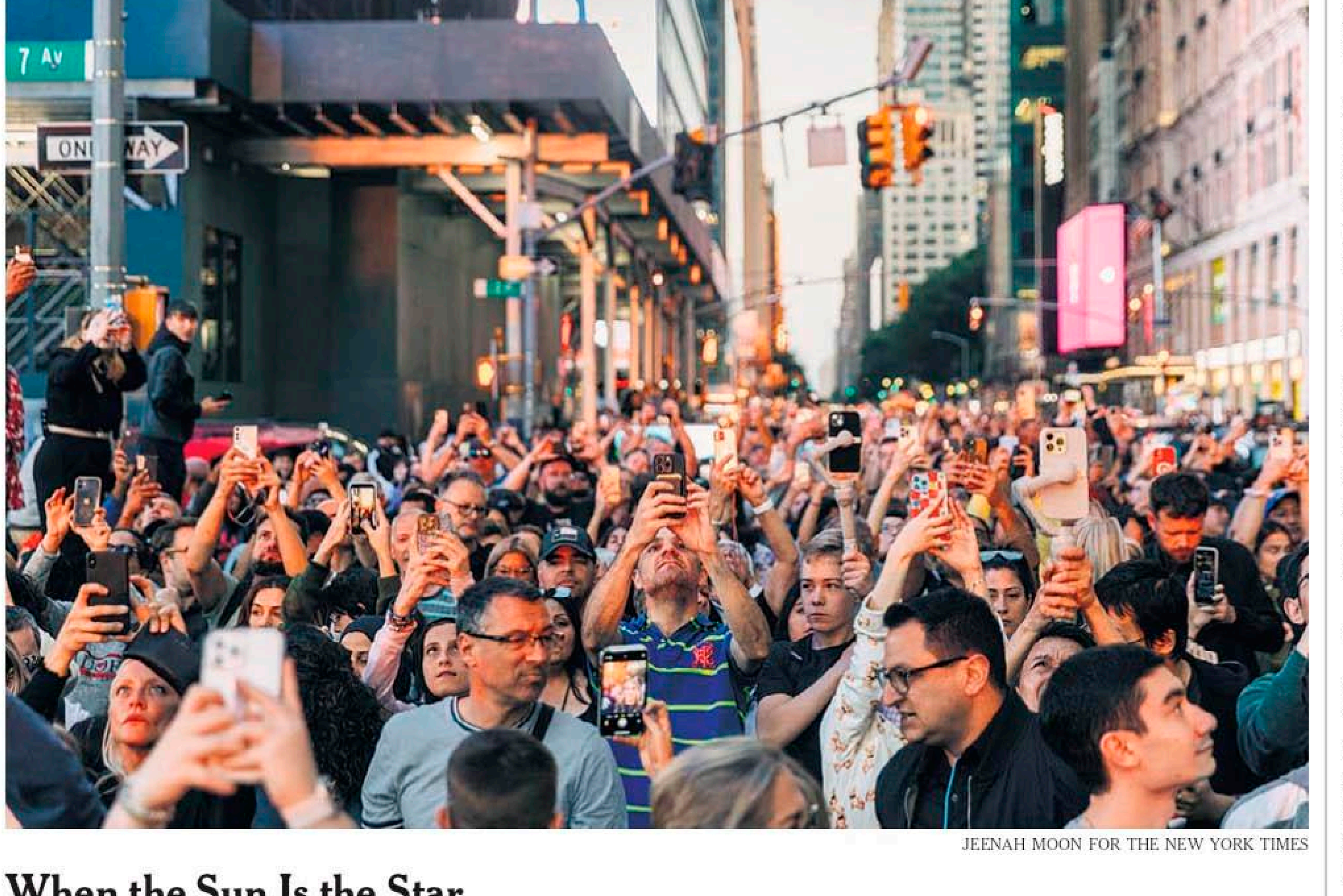


JEENAH MOON FOR THE NEW YORK TIMES

When the Sun Is the Star

Taking in Manhattanhenge, when the sun sets perfectly along the west-east corridors in New York.

Testing New York Apartments To Measure Peril of Gas Stoves

By HIROKO TABUCHI

Every morning, as millions of Americans light up the gas stoves in their kitchens to heat some water or griddle their hash browns, they aren't just sending delicious breakfast smells wafting through their homes. The blue flames also emit harmful pollutants like nitrogen dioxides, as well as planet-warming gases.

So a team of scientists from Stanford recently embarked on a testing tour of New York City apartments to better understand the extent of the pollution and how it flows from room to room in people's real homes. It's part of a 10-city study that is already showing how contaminants can quickly drift into living rooms and bedrooms, sometimes far beyond the stoves that created them.

Concerns over the health and climate effects of gas-burning stoves have prompted some cities and states to seek to phase out natural gas connections in new buildings, and the federal government has also moved to strengthen efficiency standards for gas stoves. But the issue has become polarizing. Last week in Washington, Republicans convened a hearing of the House Oversight Committee "examining the Biden administration's regulatory assault on Americans' gas stoves."

Continued on Page A15

A British Reporter Had a Big #MeToo Scoop. Her Editor Killed It.

Country's Press Avoids Its Own Dark Corners

By JANE BRADLEY

LONDON — Inside the Financial Times newsroom this winter, one of its star investigative reporters, Madison Marriage, had a potentially explosive scoop involving another newspaper.

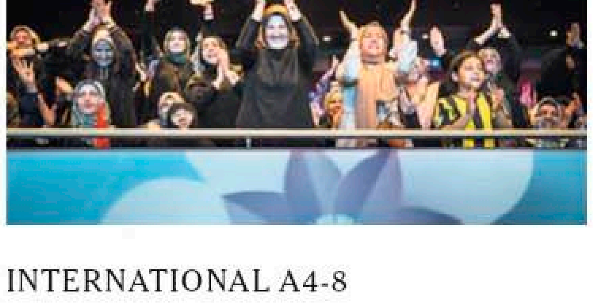
A prominent left-wing columnist, Nick Cohen, had resigned from Guardian News & Media, and Ms. Marriage had evidence that his departure followed years of unwanted sexual advances and groping of female journalists.

Ms. Marriage specialized in such investigations. She won an award for exposing a handsy black-tie event for Britain's business elite. A technology mogul got indicted on rape charges after another article.

But her investigation on Mr. Cohen, which she hoped would begin a broader look at sexual misconduct in the British news media, was never published. The Financial Times's editor, Roula Khalaf, killed it, according to interviews with a dozen Financial Times journalists.

It was not spiked because of reporting problems. Two women were willing to speak openly, and Ms. Marriage had supporting documentation on others. Rather, Ms. Khalaf said that Mr. Cohen did not

Continued on Page A7



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Embracing Islam and Erdogan

President Recep Tayyip Erdogan of Turkey has an ardent following among conservative, religious women. PAGE A8

Alberta's Right Retains Power

But the United Conservative Party will hold fewer seats in the legislature, in an apparent rebuff of its leader. PAGE A5

BUSINESS B1-7

Purdue Pharma Owners Win

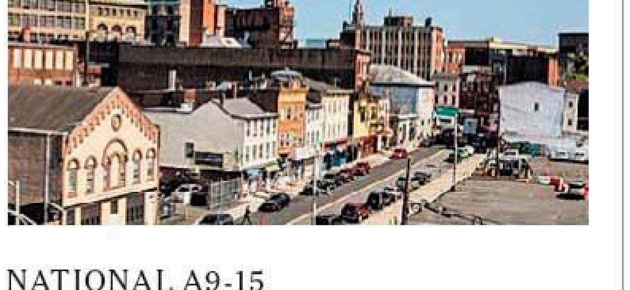
In exchange for billions in payments, the Sackler family gets legal immunity in the company's prescription opioids business, a court panel ruled. PAGE B1

Holmes Reports to Prison

The disgraced founder of the blood testing start-up Theranos, who was convicted of fraud, will serve an 11-year sentence in Texas. PAGE B1

Empty Skyscrapers in China

The nation's real estate market is reeling after years of overbuilding, exposing problems in its cities. Solving them will not be easy. PAGE B1



NATIONAL A9-15

Taking Charge of the Police

After years of abuse by law enforcement in Paterson, N.J., the state attorney general seized the department. PAGE A12

Synagogue Massacre Trial

Prosecutors opened the death-penalty trial for the man accused of killing 11 people in Pittsburgh in 2018. PAGE A11

SPORTS B8-10

A College Golf Star No Longer

After a stellar and lucrative career at Stanford that may have charted a new path for female golfers, Rose Zhang is joining the professional tour. PAGE B8

FOOD D1-6

Wooing Back Diners

Tired of lousy service while dining out? You're not alone. But some restaurants are working hard to provide a more welcoming experience. PAGE D1

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Bret Stephens PAGE A19

ARTS C1-6

A Focus on the Maestro

Our photographer followed Gustavo Dudamel, one of the world's biggest conducting stars, when he came to lead the New York Philharmonic. PAGE C1

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The New York Times

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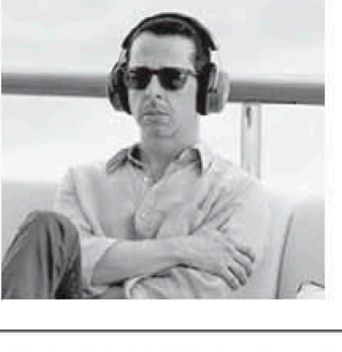


AUDIO In social science, the acronym WEIRD stands for "Western, educated, industrialized, rich and democratic." On "The Ezra Klein Show," a Times Opinion podcast, the anthropologist Joseph Henrich discussed WEIRD psychology and how culture shapes our psyches. Listen to the episode at *nytimes.com/ezra-klein-show.*

QUIZ After five years, the HBO hit "Succession" reached its end on Sunday. How well do you know the show? Can you match the Roy child to the paternal snub, or the hat to the billionaire? Take our quiz at *nytimes.com/tv*.

VIDEO There were many memorable performances during a packed spring season at New York City Ballet, including a flurry of debuts and the return of the dancer Sara Mearns. Watch a few of the highlights at *nytimes.com/dance*.

Quote of the Day

"Somebody once said that actors are emotional athletes. And this show has been like a decathlon for me."

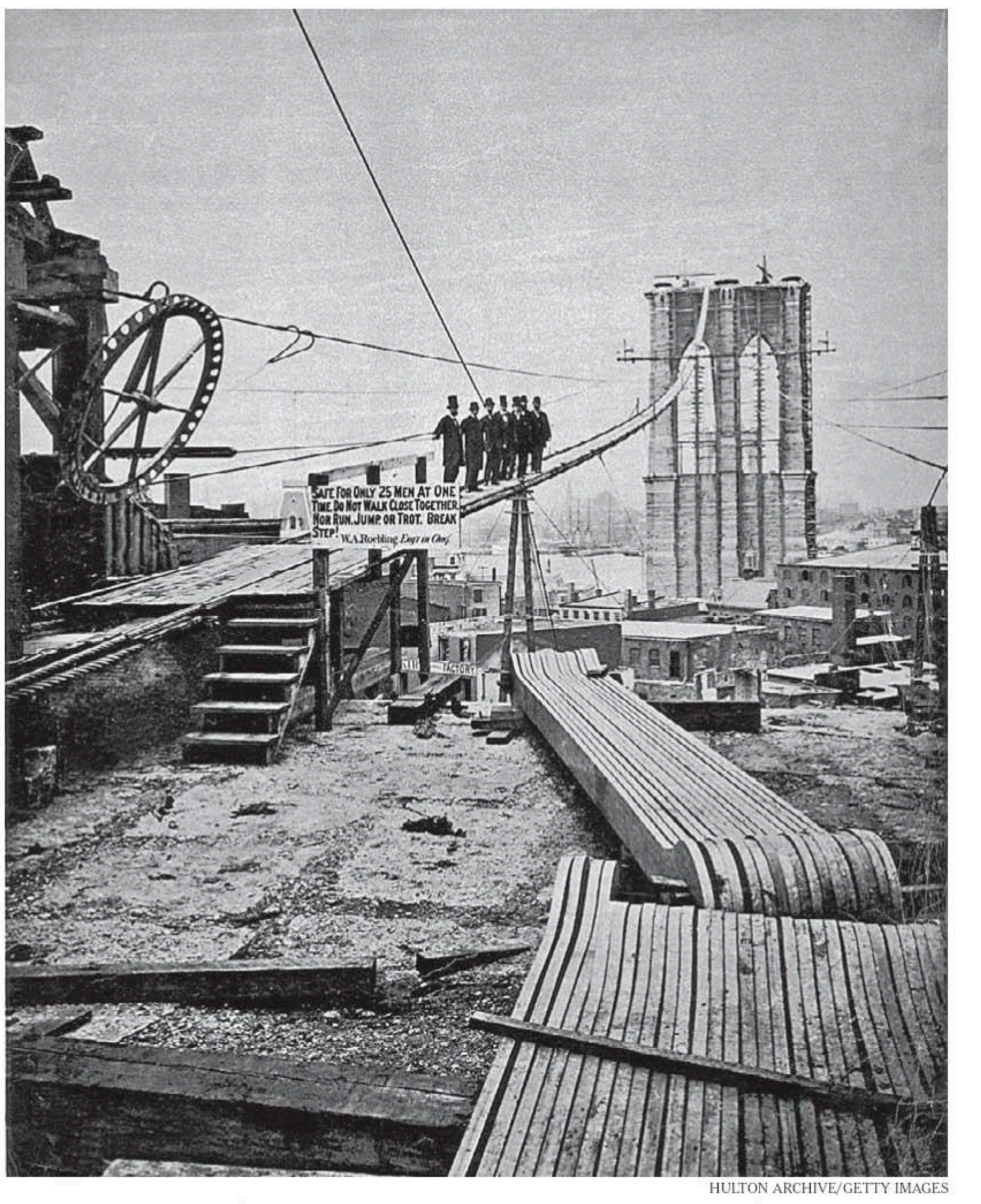
JEREMY STRONG, *who played Kendall Roy on "Succession," the HBO series that ended with his character not becoming C.E.O. of a giant conglomerate. Page C1.*

The Story Behind the Story

A Message Written in Stone and Steel

As a beacon of progress and optimism, the Brooklyn Bridge has not dimmed in 140 years.

By JAMES BARRON



HULTON ARCHIVE/GETTY IMAGES

Completed in 1883, the Brooklyn Bridge connected two separate cities, Brooklyn and New York.

"Everything Ready for the Opening of the Bridge," The New York Times declared in a headline on May 24, 1883, a little more than 140 years ago.

The Times did not have to say which bridge. The Brooklyn Bridge, which had taken 14 years to build, stood alone, the first of the city's many suspension bridges, a tribute to imagination and inventiveness.

In many ways, it still stands alone. It is the one bridge many New Yorkers walk every day. It is the one bridge on tourists' must-see lists. It is the one bridge that was the subject of the historian David McCullough's best-selling book in the 1970s and the filmmaker Ken Burns's first documentary in the 1980s. To mark this anniversary, Burns walked the bridge with Michael Kimmelman, The Times's architecture critic, and a camera crew for a short film for Burns's website, UNUM. I spoke with Michael about the bridge and its place in the city — and in the lives of New Yorkers.

In the 1880s, New York was inching toward its new role as a world-class city. The bridge certainly helped it become that, symbolically as well as literally, didn't it?

A hundred percent. The bridge was, not just for New York but for America, the great symbol of 19th-century progress and optimism. It was of an era that we now forget was an extraordinary time of change and connection. You had the transcontinental railroad. You had the transoceanic cable. You had the Suez Canal. All of these were being built around the same time. We were shrinking the world.

In New York itself, the bridge tied together two separate cities, Brooklyn and New York, in anticipation of what became the one great city. It was the bridge that offered another, simpler, faster way to get from Brooklyn to New York, when the only way previously was by boat, and that was often difficult in the winter and in bad weather.

But the bridge did something else. It created a great public square in midair, this enormous road that literally connected the two. They suddenly became one. That's a big reason the bridge remains our great civic symbol of hope and of possibility.

And, also, the Brooklyn Bridge was bigger than anything else at that time.

This bridge was of a scale that had been unimaginable in America. It was like what the Gothic cathedrals were in the 13th century, something so unbelievably huge and seemingly impossible that there was something otherworldly about it.

You have to imagine that people going onto the bridge were at a height that no human had been at in this part of the world. They were suddenly on a mountain that had been built in the middle of the river, looking down on birds flying beneath them. It was something so great that it redefined the city's ambitions for the next century.

It was engineering *and* art.

Yes, absolutely. That was the Roeblings' intention from the very beginning, to create something that was more than just a work of engineering that would stand up. It was something that would stand the test of time as a work of art. That's what you still see. You still see the Brooklyn Bridge as eternal and awesome.

It has a presence unlike anything in New York City, which is why it's mobbed every day with people who go there like they go to Notre Dame or Chartres or Westminster. It seems like you're in touch with something much larger than yourself. It doesn't feel like just a piece of infrastructure.

But maybe the most essential aspect of it is that it's an open space for everyone.

And it lasted. It endured.

Yes. I mean, we've rebuilt La Guardia Airport, which was quite a feat. To do it while the airport was open was amazing, and it's definitely better. But the Brooklyn Bridge is going to still be something that is remembered a thousand years from now. I don't think the renovation of La Guardia is going to be remembered a thousand years from now.

That is nothing against La Guardia's renovation. But it's hard to think of the last time we in New York or in America, really, did something that had quite such a large ambition or seemed so transformative or huge as the bridge.

So the bridge immediately became a part of the city and, for generation after generation ever since, has figured in the city's sense itself and its sense of whatever problems had to be reckoned with.

When Burns made the film 40 years ago, New York was run-down, and the bridge was a reminder of what the city had once been.

There was about the bridge then a kind of faith in a city that was struggling.

The city is extremely different now, with extremely different problems. It's an unaffordable place. We're facing issues around climate. We have a huge homelessness problem.

But there's still something reassuring about the bridge — about our ability as a city to strive for and achieve great, impossible things.

It's really remarkable that 140 years later, it continues to have this role in our lives as a reminder of what we are capable of — and maybe is also a prod. I like to think of it that way. In a city where we often feel overwhelmed or battered, the bridge is a place to go to consider what New York is at heart, which is a place of dreams and aspirations.

I took my younger son the other day. He was a little skeptical — it was a Sunday morning, like why are we getting up early to do this. But I could see, when we got to the middle of the bridge where the view opens up, that even a hardened New Yorker like him was like, "Wow, it's so cool."

This article appeared in the New York Today newsletter. Sign up at nytimes.com/newsletters.

Today's Top Trending Headlines

Russia-Ukraine War Live Updates A drone attack on Moscow, the Russian capital, early Tuesday was a potent sign that the war is increasingly reaching the heart of Russia. It came as an aerial assault on Ukraine's capital, Kyiv, left at least one person dead. Russian nationalist commentators said the strike highlights their government's inability to prepare the population for the conflict crossing into their borders. Times reporters around the world are following developments.

A British Reporter Had a Big #MeToo Scoop. Her Editor Killed It. The Financial Times, a British newspaper, killed an explosive scoop on women who said a star Observer columnist had groped them or made unwanted sexual advances. Jane Bradley, a Times investigative correspondent in Britain, wrote that the case offered "a window into the British news media's complicated relationship with the #MeToo movement." She interviewed more than 35 journalists for her article.

A Small Town's Tragedy, Distorted by Trump's Megaphone No one seems to know why an argument outside a bar in a North Dakota town ended in one man running over, and killing, another. The incident nevertheless became a right-wing talking point led by politicians and online personalities who rushed to outrage, wrote Charles Homans and Ken Bensinger, who cover politics and the media.

Elizabeth Holmes Reports to Prison to Begin More Than 11-Year Sentence The disgraced founder of the blood testing start-up Theranos, who was convicted of fraud, turned herself in at a minimum-security prison in Texas. Erin Griffith, who reports on start-ups and venture capital from San Francisco, and who reported on Ms. Holmes's trial, covered the news.

A Headline From History

SPAIN ENTERS NATO AS FIRST COUNTRY TO JOIN SINCE 1955

May 31, 1982. Spain formally became the 16th member of the North Atlantic Treaty Organization, formalizing its ties to the Western military alliance, The Times reported. Spain's "late entry" into NATO came seven years after the death of the dictator Francisco Franco in 1975; at that point, Spain, then led by King Juan Carlos I, began its transition to democracy, paving the way to join NATO. Though some NATO members resisted the country's integration "on the ground that Spain was neither economically nor politically in tune with the major Western powers," others, including the United States, thought Spain would strategically strengthen the bloc. To that end, Spain promised to make available 340,000 troops, more than 190 war planes, eight submarines and 29 warships. In Spain, the membership was met with some opposition by the Spanish Socialist Workers' Party, the leading opposition party.

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Facts of Interest

Across the United States, 45 million people owe $1.6 trillion for federal student loans — more than Americans owe for any kind of consumer debt other than mortgages.

Student Loans Set to Resume Under Terms of Debt Deal A9

For years, Rosalind Franklin, the British chemist whose experiments became the basis for James Watson and Francis Crick's groundbreaking 1953 discovery of DNA's double helix structure, received no credit.

About DNA, Discovery and Giving A Scientist Her Due C6

There is historical evidence, according to the International Franchise Association, that the first U.S. franchise dates back to Benjamin Franklin, who created a network of printing partnerships.

Franchising Failures Raise Questions About Regulatory Protections B7

Farmers across California grow about 85 percent of the commercial strawberries in the United States.

Ways to Make Strawberries Even Tastier D2

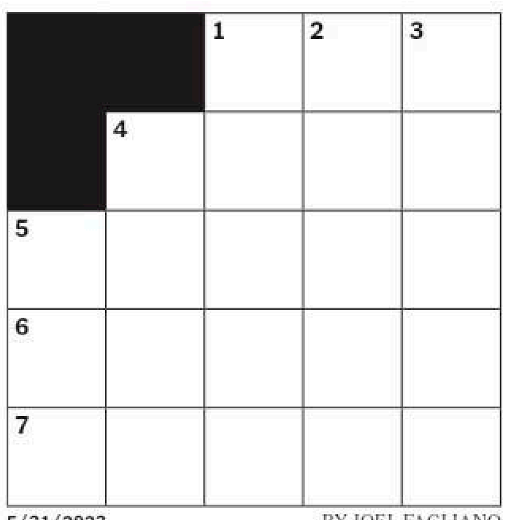
The Miami Heat are just the second eighth seed, after the 1998-99 New York Knicks, to reach the N.B.A.'s championship round under the current playoff format.

Heat Reach the Finals the Hard Way, Which Is How They Like to Do Things B9

Turkey's Constitution grants equal rights to men and women, and its labor code bans gender-based discrimination. But women still earn 15.6 percent less than men on average, according to a United Nations report last year.

Erdogan's Enthusiastic Power Base: Devout, Conservative Women A8

The Mini Crossword



5/31/2023 BY JOEL FAGLIANO

ACROSS

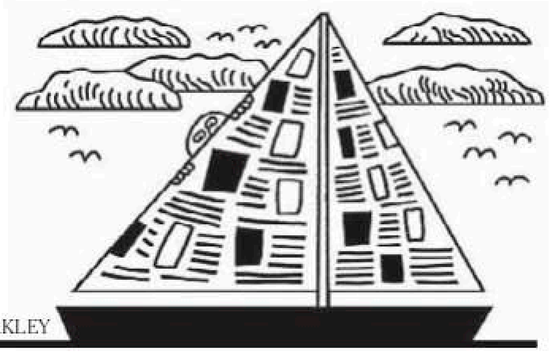
1 Sticky stuff on a tree
4 Destination for cabs in California?
5 Long time to wait in line
6 Fancy broad tie
7 Most common carnivore in Africa

DOWN

1 See 3-Down
2 Kitchen splatter protector
3 With 1-Down, marinara, Alfredo or pesto
4 All up in one's business
5 "Very funny!"

SOLUTION TO PREVIOUS PUZZLE

B	A	L	D	S
A	D	I	E	U
C	O	A	L	S
H	U	R	T	S
■	T	S	A	■



MARCUS OAKLEY

Reader Corner

Responses and Replies

Times Climate reporters asked people in climate-focused careers about their jobs: what their experience in the field has been like, why they do what they do and how their work has affected their lives. Readers had plenty to say, and we are highlighting a few responses in this space. Read one edited comment below, and check back next week for more.

I am the head of marketing at a venture capital firm that invests in climate tech start-ups. It was a midcareer shift from working for a big personal brand, doing content and editorial, to follow my passion of helping deep tech start-ups with marketing and communications.

They are unbelievably compassionate and deeply thoughtful people. I feel like I hit the jackpot. V.C.s with a heart. And a mission to save the planet. Through tech, yes, but also sheer capitalism. They only invest in start-ups with better unit economics than the existing solution because they're practical and understand that a green premium will never catalyze a change in purchase behavior.

The biggest pro is the street cred. That is, the interest from others. Other marketing people in V.C. are like, wow, climate? That's cool. Must be good storytelling. Vaccines for honeybees, drones that plant trees at 120/minute? Yes, please. My 9- and 11-year-old sons also think what I'm doing is incredibly cool. They haven't invited me yet to talk to their class, though. So maybe I'm overestimating the hip factor. Dinner conversations are fun though.

— ANA YOERG, VENTURE CAPITAL, MEDIA, PA.

Just One Question

Times Journalists Share a Key Insight About Their Work

MELISSA GOLDEN FOR THE NEW YORK TIMES

Local and chain restaurants alike are looking for ways to improve the customer experience.

The patience that diners have extended to restaurants over the last few pandemic-era years is wearing thin. They're tired of QR codes, impersonal service and steep prices. As a result, restaurant owners, many of whom are struggling to train a new generation of workers, are striving to bring warmth back to the dining experience. As a reporter for the Food section, Kim Severson is uniquely positioned to see the struggle from both sides. Her latest article explores the state of hospitality. Here, she shares firsthand observations.

As both a customer and someone who has covered restaurant culture for 20 years, what tension have you noticed when dining out?

It's never been worse out there, both for diners and for servers. Diners want to be waited on by someone competent and pleasant, especially in light of higher prices. At the same time, waiters, hosts and cooks feel underpaid — federal minimum wage for tipped employees is $2.13 — and battered by self-important, whiny customers. Restaurant owners, especially independent ones, will tell you that their margins are too slim to pay more.

Everyone is entrenched in their own narrative! Makes eating out sound so relaxing and fun, right?

I think if restaurant owners can't stay in business without squeezing workers, maybe they should find some other kind of work. Waiters who don't find it rewarding to make patrons happy could also consider doing something else. But diners: We can do better! Treat waiters with respect. And waiters, my bet is that most diners would tip a lot for great service.

Read Ms. Severson's article on Page D1.

Here to Help

How Parents Can Help Teens Navigate Social Media

Last week, the U.S. surgeon general, Dr. Vivek H. Murthy, issued a public warning of the risks of social media use to young people. The Times asked some experts: What is one practical strategy that caregivers can use with their kids to help mitigate the harms of social media? CATHERINE PEARSON

Early on, be very hands-on. In a list of recommendations released this month, the American Psychological Association suggested adults closely monitor social media use in children 10 to 14. Experts say this is a critical window to teach good habits. A family might decide that a child will be limited to one app at first, and that for the first six months or so, parents will review posts and friend requests with their child.

Hold your firmest boundaries at night. That means no screens at a time that will affect your teen's ability to get at least eight or nine hours of sleep. It also means no smartphones or tablets in the bedroom overnight. "We know from so much research on sleep that people do not sleep as well, or as long, if their phone is within arm's reach," said Jean Twenge, a psychologist.

Help teens understand how social media affects their brains. The human brain develops from the back to the front, explained Dr. Frances Jensen, chair of the department of neurology at the University of Pennsylvania. The middle part, which she describes as the "social brain," is "actively constructing itself during adolescence" —

GETTY IMAGES

and is the most susceptible to outside influences. Dr. Jensen urged parents to talk to their kids about brain changes and how they make them vulnerable to some of the more negative effects of social media.

Ask your teen key questions. 1) "Do you feel like you have control over social media, or do you feel like it's controlling you?" That question is particularly effective at gauging whether a teen's social media use has become problematic. 2) "Are any of these accounts making me feel worse about myself or about my body?"

Lead conversations with curiosity, not judgment. It's important for parents to foster an open dialogue around social media. Tell your kids clearly that you're asking questions because you're curious about this aspect of their life, not because they're in trouble.

For more advice on managing social media, visit nytimes.com/well.

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Ugly Fight Over a Climate Bill Exposes Cracks in the German Coalition

By ERIKA SOLOMON and MELISSA EDDY

BERLIN — Germany's coalition government was always an awkward trio of center-left Social Democrats, climate-conscious Greens and pro-business Free Democrats. Yet in the heady days after their election victory in 2021, the parties vowed to stick to a tradition of consensus-driven politics, keeping the drama behind closed doors.

Those doors have now swung open.

In recent days, the parties have engaged in an unusual level of public sniping over a wonkish bill with the seemingly humble aim of reducing fossil fuel emissions from heaters in homes and other buildings.

While the stakes would seem relatively minor, the level of vitriol has been anything but, reflecting a new era in which Germany's once-staid politics have turned more fractious.

No one is predicting a collapse of the coalition. But the public sparring has raised questions over how Germany will meet commitments to Europe's climate goals — as well as Chancellor Olaf Scholz's ability to maintain effective stewardship of Europe's most powerful economy.

"It is critical the federal government demonstrates its ability to act," said Uwe Jun, a political scientist at the University of Trier. "Scholz has to show he can safeguard this government."

For months, European Union officials have bemoaned how German coalition strife had begun to ripple through the bloc — tripping up fossil fuel engine regulations, budget plans and debt policy.

The first signs of tension in the coalition came last summer, during a tug of war between the Greens and Free Democrats over keeping nuclear power plants running past a previously agreed deadline. Then came a clash over European fossil fuel engine legislation.

Now, the divide over climate policy has been further aggravated by the draft law, which aims to ensure that newly installed heating systems run on at least 65 percent renewable energy starting in 2024.

Just a year ago, the mood seemed far different. Russia's invasion of Ukraine pushed the parties together.

As Europe sought to halt purchases of fossil fuels from Russia, Germany looked uniquely vulnerable: More than 50 percent of its natural gas came from Russia, thanks to a decades-long policy of doubling down on natural gas as a "bridge technology" to carbon neutrality.

But Germany's coalition confronted the looming energy crisis with far greater success than initially had seemed possible.

The finance minister and head of the Free Democrats, Christian Lindner, who was usually leery of climate policy, cheered the promotion of renewable energies as "freedom energy." The economy minister, Robert Habeck, a Green Party leader, became the unlikely face for liquid natural gas terminal construction and the refiring of coal plants.

Now, safely through the worst, the two junior parties in Mr. Scholz's coalition have gone into attack mode.

In recent days, one conservative politician portrayed Mr. Habeck as an East German Stasi, or secret police officer, spying on people's homes.

Free Democrat leaders leaned into the conservative caricature of the Greens as the "prohibition party," calling the bill the "heating prohibition law."

When the Free Democrats last week blocked the draft law from entering Parliament — despite previously approving it in the cabinet — the Greens described them as dishonest salesmen and an "unreliable and destructive clique."

LAETITIA VANCON FOR THE NEW YORK TIMES

CHRISTIAN MANG/REUTERS

SEAN GALLUP/GETTY IMAGES

Clockwise from top: A steam power plant in the port of Karlsruhe; a demonstrator in Berlin last week dressed as Christian Lindner, the Free Democrats' leader, with a banner accusing the party of "burning the future"; and Chancellor Olaf Scholz in Parliament with his coalition partners Mr. Lindner, left, and Robert Habeck, center, the Greens' leader.

Amid the mudslinging, political observers have begun to ask: Where is the chancellor?

"It is no longer just about content," wrote the weekly newspaper Die Zeit. "It is now about trust within the government. It's about whether the coalition is still operational after a year and a half. And it's about the authority of Olaf Scholz."

For the Greens, Mr. Habeck's heating bill is key to their plans for reaching German climate targets.

To the Free Democrats, the bill's restrictions on private households' choices grates with its belief that technological innovation, not regulation, should shape climate policy.

"This law makes our people feel insecure, and we need to reassure them," said Bijan Sjir-Sarai, the secretary general of the Free Democrats. "It is simply a matter of preventing a bad law and achieving a good law. And that, in my view, has to be the goal of politics."

None of this eases the mood among Germans. Anxious about being left in the cold last winter, come springtime, they have turned their worries to their pocket books and personal choices.

Part of the bill's challenge may be in the coalition's failure, or unwillingness, to link the bill to recent painful lessons over German fossil fuel dependencies.

Weaning Germany off Russian gas drained 300 billion euros, about $320 billion, from state coffers last year. Today, Germany has simply swapped its energy dependency from Russia to countries like Norway, the United States or Qatar.

Fear of being temporarily disadvantaged has taken over a more important long-term reality, said Nina Scheer, the spokeswoman for climate and energy politics for the Social Democrats in Parliament.

"This should be a bill about enabling people, not about restrictions," she said. As climate policies are enacted, fossil fuel prices will rise, she said — and households will face the costs: "It's a false security to believe that if you keep everything the way it is, that it will be safe. We learned last year what that means."

The German heating bill would actually only do what other European countries have already done. From Scandinavia to France to Italy, all have laws promoting low-carbon heating systems. Even in Poland, which has clung to coal, installations of heat pumps soared 120 percent last year.

Germany's buildings are responsible for 15 percent of the country's overall carbon emissions. Cutting that level is essential if the country hopes to meet its climate targets.

The pro-business Free Democrats and the Greens are sniping at one another.

Last year, Germany barely met its goals to reduce emissions nearly 2 percent, and the country's Environment Agency has warned that more significant reductions are needed in the coming years.

The Greens, supported by climate experts and scientists, argue that changes to personal habits are urgently needed. Yet after successive German governments promoted natural gas heating, making that case is now an uphill battle.

"This is the first time that climate protection is reaching people in their private lives," said Elisabeth Staudt, a researcher in energy efficiency with Environmental Action Germany, a nonprofit advocacy group. "It is so emotional because it has to do with people's homes."

Seeking a way out of the crisis, Mr. Habeck, the economy minister, has suggested possible revisions to his bill and invited coalition partners to negotiate.

But amid the questions over how the coalition can heal its openly displayed wounds, Mr. Scholz has been largely silent. And his Social Democrats can offer only a muted response.

Katja Mast, first secretary of the Social Democrats' parliamentary fraction, noted that the Greens had also been blocking parts of other bills on road tolls and highways — a potential escalation in the struggle over climate policies.

She urged the parties to come together to pass the needed bills: "With a lot of good will we will achieve this. I am appealing to that good will."

U.N. Moves Ahead With a Plan To Avert an Oil Spill Off Yemen

By VIVIAN NEREIM

DUBAI — A United Nations operation to avert a catastrophic oil spill in the Red Sea by salvaging a decaying supertanker off the coast of Yemen is moving forward this week after years of delays.

The oil tanker, the FSO Safer, holds more than one million barrels of oil, about four times the amount leaked in the disastrous Exxon Valdez spill of 1989.

A crew that plans to inspect the rusting tanker set sail on Monday from Djibouti in East Africa to the port of Hudaydah on Yemen's west coast, arriving on Tuesday. The tanker is moored north of the port city and was once the site of fierce battles in the country's eight-year-old war, which created one of the world's worst humanitarian crises.

If all goes as planned, the team's inspection will pave the way for an operation to transfer the oil to a seaworthy tanker purchased by the United Nations earlier this year.

The FSO Safer originally functioned as a floating storage facility fed by a pipeline that carried oil from eastern Yemen. But the war left it isolated, and it has been poorly maintained for years, prompting the United Nations and Yemeni experts to repeatedly warn that it is an ecological time bomb that could explode or disintegrate at any moment.

Saeed Al-Batati contributed reporting from al-Mukalla, Yemen, and Shuaib Almosawa from Sana, Yemen.

If the oil from the tanker spilled, it would ravage marine life as well as the fishermen and coastal communities that depend on it. It could shutter ports crucial to bringing in desperately needed humanitarian aid in a country where hunger is rife.

It could also force the closure of desalination plants that supply water to millions of people.

"The consequences of not doing anything would be dire and devastating," said Mohammed al-Hakimi, the head of Holm Akhdar, an environmental consulting firm in the Yemeni capital, Sana. Leaks or an explosion could create "a major environmental disaster within a humanitarian crisis," he added.

"Almost everyone in the Red Sea's coastal communities makes a living from fishing," said Khaled Zarnogi, a fisherman and the head of the Khokha Youth fisheries group in the town of Khokha, south of Hudaydah. He estimated that there were 10,000 fishermen in his town alone, in addition to others who earn their income from the fishing industry.

"If the tanker burst, all of those individuals would be out of work," he said.

A spill could also have a cascade of repercussions for other countries along the Red Sea, including Saudi Arabia and the East African nations of Eritrea and Djibouti. Damage to coral reefs would hamper Saudi Arabia's ambitions to develop luxury tourism along its Red Sea coastline. And because the tanker is near key shipping lanes, even global trade could be affected.

MUHAMMAD YUSUF/REUTERS

The FSO Safer, a decaying supertanker off Hudaydah, Yemen, holds over a million barrels of oil, about four times the amount leaked in the disastrous 1989 Exxon Valdez spill.

"An explosion or spillage from the tanker would not only result in an environmental disaster but also inflict significant damage on economic activities," said Ahmed Nagi, senior Yemen analyst at the International Crisis Group.

Yet international efforts to inspect the tanker and safely remove its oil have sputtered for years.

The multilayered war was a major factor, turning Hudaydah into a battle zone for long stretches. The tanker was also held hostage by a dispute over who had the right to the oil inside of it and any potential revenue it could generate, Mr. Nagi said.

Yemen's war began in 2014, when fighters from the country's powerful Houthi militia swept through the north into the capital, displacing the internationally recognized government. A military coalition led by neighboring Saudi Arabia intervened in 2015 in an attempt to restore that government, launching a devastating bombing campaign.

The Iran-linked Houthis, who have since formed a parallel government, control the area where the tanker is moored and saw the oil as a potential asset.

The internationally recognized Yemeni government and their Saudi allies blamed the Houthis for the delay in salvaging the tanker. A plan to begin the operation in 2021 was delayed at the last minute after the Houthis refused to guarantee the salvage team's safety in writing, the U.N. said at the time.

"We are dealing with a militia that revolted against the state and its legitimacy," said Salem Abdullah al-Soqotri, the Yemeni government's minister of agriculture, irrigation and fisheries.

The Houthis did not respond to a request for comment. But in the past, the rebel group has blamed its opponents for the tanker's dangerous state. At a news conference in Hudaydah on May 17, the head of the Houthi committee in charge of the tanker, Zaid Ahmed, said the Houthis were surprised that the U.N. had purchased a new ship without consulting them and demanded that the U.N. hand over an "operational plan" for resolving the problem.

The U.N. had cited a lack of sufficient funding for the operation, which is expected to cost more than $100 million for the first phase alone, and it even launched a crowdfunding campaign. The U.N. said it needed an additional $29 million to complete both phases of the salvage operation, out of a total budget of $143 million.

Preparations for the oil transfer may take one to two weeks, and the transfer itself could take around three weeks, but the timing could change depending on what the crew discovers on the vessel, said Achim Steiner, administrator of the United Nations Development Program.

Negotiations between Saudi Arabia and the rival Houthis to reach a partial resolution to the war, which have gathered pace this year, appear to have "fostered some understanding" about the tanker, Mr. Nagi said.

"We have high hopes for salvation from this disaster very soon," the foreign ministry for Yemen's internationally recognized government said Monday on Twitter.

Voters Reduce Majority Of Alberta Conservatives

By IAN AUSTEN

CALGARY, Alberta — Voters in Alberta, the oil-rich western province that is a bastion of conservatism in Canada, kept its conservative government in power on Monday but substantially reduced the number of seats it holds in the legislature, data from Canada's national broadcaster indicated.

The result, while a win for conservatives, is likely to be seen as a rebuff of Danielle Smith, the hard-right leader of the United Conservative Party who has been Alberta's premier for seven months. Ms. Smith came to power after the party effectively rejected a more moderate conservative, Jason Kenney, as premier over his refusal to end pandemic restrictions and vaccine mandates.

That revolt, led by a socially conservative wing of the party, reflected the anger in Canada that also led to the formation of a truckers' convoy that paralyzed Ottawa, the national capital, for nearly a month.

Danielle Smith

The views of Ms. Smith, a former radio talk show host and newspaper columnist who previously led another conservative party, are firmly aligned with that faction. She has declared that the unvaccinated were the "most discriminated-against group" she'd seen in her lifetime and suggested that police officers who enforced pandemic measures had committed crimes. In May, a video surfaced of her likening people who chose to be vaccinated to Germans who came to support Hitler.

She has previously stated that politicians on the right in the United States were her political models and floated ideas, like fees for services in public health care, that enjoy little support across the political spectrum.

The Canadian Broadcasting Corporation projected early Tuesday morning that Ms. Smith and the United Conservatives would be returned to power. But the broadcaster's data also showed that the party was leading or had been elected in just 52 of the legislature's 87 electoral constituencies, down from the 63 it held before the vote. Unless the final number of seats turns out to be substantially higher, it will be the slimmest margin of victory in Alberta's history.

Many political analysts said before election night that the conservatives would have won overwhelmingly under Mr. Kenney or another more moderate leader.

In a victory speech, Ms. Smith said her first act when the legislature reconvenes would be to introduce a law requiring that any future personal or business tax increases be approved by voters in a referendum, suggesting that it would make the province more attractive to investors.

"We are throwing our doors wide open for businesses, large and small," she said.

She went on to reject planned federal limits on the energy industry's carbon emissions, saying that they would not be "inflicted" on the province.

As anticipated, the United Conservatives were strongest in rural areas. The New Democratic Party, led by Rachel Notley, a lawyer and former premier, had a strong showing in Edmonton, the provincial capital and one of the most left-leaning parts of the province, as well as Calgary, the largest city, which generally supports the conservatives.

As of early Tuesday, the New Democrats, a left-of-center party co-founded by organized labor, had been elected or were leading in 35 electoral districts, a gain of 11 seats.

Ms. Smith's victory will be a challenge for Prime Minister Justin Trudeau. One of her first acts as premier was to introduce legislation that she said would allow the province to refuse to enforce federal laws, a measure that many legal experts believe to be unconstitutional.

Under the United Conservatives, the future of the province's carbon tax, which is deeply unpopular with the right, and other climate change measures may be in jeopardy.

When the New Democrats held power in Alberta from 2015 to 2019, after an unprecedented victory that resulted from a fracturing of the conservatives into two parties, Ms. Notley agreed to introduce carbon taxes in exchange for Mr. Trudeau's government purchasing an oil pipeline to the Pacific Coast to ensure its expansion.

Canada's oil and gas production, which is largely based in Alberta, accounts for 28 percent of the country's carbon emissions.

Mr. Trudeau has said that the federal government will enact caps on the sector's emissions. Ms. Smith, on Tuesday morning, called the plan a "de facto cap on production" and promised to block the measure.

The New Democratic Party's win in 2015 broke a string of conservative governments in Alberta dating to the Great Depression. But Ms. Notley's victory coincided with a collapse in oil prices that cratered the province's economy, sending the party's approval ratings spiraling.

On Tuesday morning, Ms. Notley said she accepted responsibility for the party's campaign shortcomings but said that she would continue as its leader.

"Although we did not achieve the result we wanted, we did achieve a major step toward it," she told supporters.

LUIGI COSTANTINI/ASSOCIATED PRESS

Luca Zaia, president of the Veneto region, seemed to place responsibility for the Grand Canal's green hue on "rowdy individuals."

Venice Learns What Turned Grand Canal Green

By JESUS JIMÉNEZ

For days, Venetians have wondered what caused a swath of their city's famous Grand Canal to turn bright green.

On Monday, the authorities had an answer: Test samples of the water confirmed that the canal's bright new hue was caused by fluorescein, a chemical often used to find leaks during underwater construction. Now, Italian officials are investigating how the chemical got into the canal.

The regional environmental agency for the state of Veneto, which includes Venice, confirmed the presence of fluorescein in the canal near the Rialto Bridge and said a complete analysis of the water samples would be completed in the next few days.

Still, officials do not know who or what was behind the color.

Luca Zaia, the president of the Veneto region, said on Facebook on Monday that the possibility of copycats was "worrying."

"Venice, like other iconic places in the Veneto region, has such visibility that actions like this" could attract "'characters' in search of publicity," Mr. Zaia wrote.

It was unclear whether the police had identified a suspect or whether anyone might face charges. The Venice police did not immediately respond to a request for comment on Tuesday.

Mr. Zaia said that "adequate and strong responses are needed."

"We must protect the city, its monuments, everyone's right to enjoy its historical treasures free of the marks left by rowdy individuals," he said.

Fluorescein can have low levels of toxicity; however, it is routinely used in some medical eye exams, according to the U.S. National Library of Medicine. The environmental authorities in Veneto said on Monday that tests had not indicated any levels of toxicity in the canal.

A chemical aptly named fluorescein is said to be the culprit.

Even before tests confirmed fluorescein was in the water, officials believed the chemical was causing the abnormal hue based on similar episodes in the past, the environmental agency said in a statement on Sunday.

In 1968, the Argentine artist Nicolás García Uriburu turned the Grand Canal green using fluorescein "to bring attention to the relationship between nature and civilization and to promote ecological consciousness as a critical part of culture," according to the Metropolitan Museum of Art in New York.

The color faded after about a day, according to the museum. This week, Veneto's environmental agency said that depending on how much fluorescein was in the water, it could take a few more days for the canal to return to its normal color as the chemical dissolves.

Elisabetta Povoledo and Ilaria Parogni contributed reporting.

North Korean Rocket Alarms Neighbors

By CHOE SANG-HUN and MOTOKO RICH

SEOUL — North Korea on Wednesday launched a space vehicle carrying its first military reconnaissance satellite designed to monitor the South Korea and United States militaries and help the North carry out nuclear attacks more effectively, South Korean defense officials said.

As the rocket roared to the south, a machine-generated automatic emergency text message told citizens in Seoul to "prepare to evacuate," for fear that debris from the rocket might fall on the South Korean capital. The government later retracted the alert, calling it a "false alarm."

KIM HONG-JI/REUTERS

In Seoul, a news report on a North Korean launch Wednesday.

The South Korean military later indicated that the North Korean launch was a failure, saying that the rocket fell in waters west of South Korea after an "abnormal flight."

Similarly in Japan, the government sent alerts in Okinawa Prefecture urging residents to seek shelter inside and away from windows, but just after 7 a.m. the alert was lifted as the government announced that the missile was not flying toward Japan. Less than 10 minutes later, the Ministry of Defense said a projectile had already fallen into the water.

The launch on Wednesday signaled a space race heating up in the sky over the Korean Peninsula. The United States, Russia, China and Japan already have satellites watching the peninsula. South Korea recently vowed to place its first military spy satellite in orbit by 2025.

When Kim Jong-un, North Korea's leader, ordered his country to double down on its efforts to enlarge and diversify its nuclear arsenal during a ruling Workers' Party meeting in 2021, he made it a priority to place military spy satellites into orbit. These would make the North's nuclear arsenal more dangerous by giving its military eyes in the sky, military experts say, and would help North Korea collect data from its missile tests as the country struggles to perfect its intercontinental ballistic missile technologies.

But experts have also questioned the capabilities of the North's prototype satellite, which the North has said would be carried by the rocket launched on Wednesday.

The rocket lifted off from a launchpad in Tongchang-ri in the northwestern corner of North Korea. It was programmed to fly over the sea between China and the Korean Peninsula and over the waters east of the Philippines. As the countdown began, South Korea and Japan placed their militaries on extra vigilance in case debris fell on their territories. Both had urged Pyongyang to cancel its satellite launch, condemning it as a dangerous provocation.

Under a series of resolutions from the United Nations Security Council, North Korea is banned from launching space rockets, as well as testing nuclear weapons and ballistic missiles that could be used to deliver them. North Korea insists on its right to a peaceful space program, but Washington and its allies have long accused it of using such a program as a cover for testing intercontinental ballistic missile technologies.

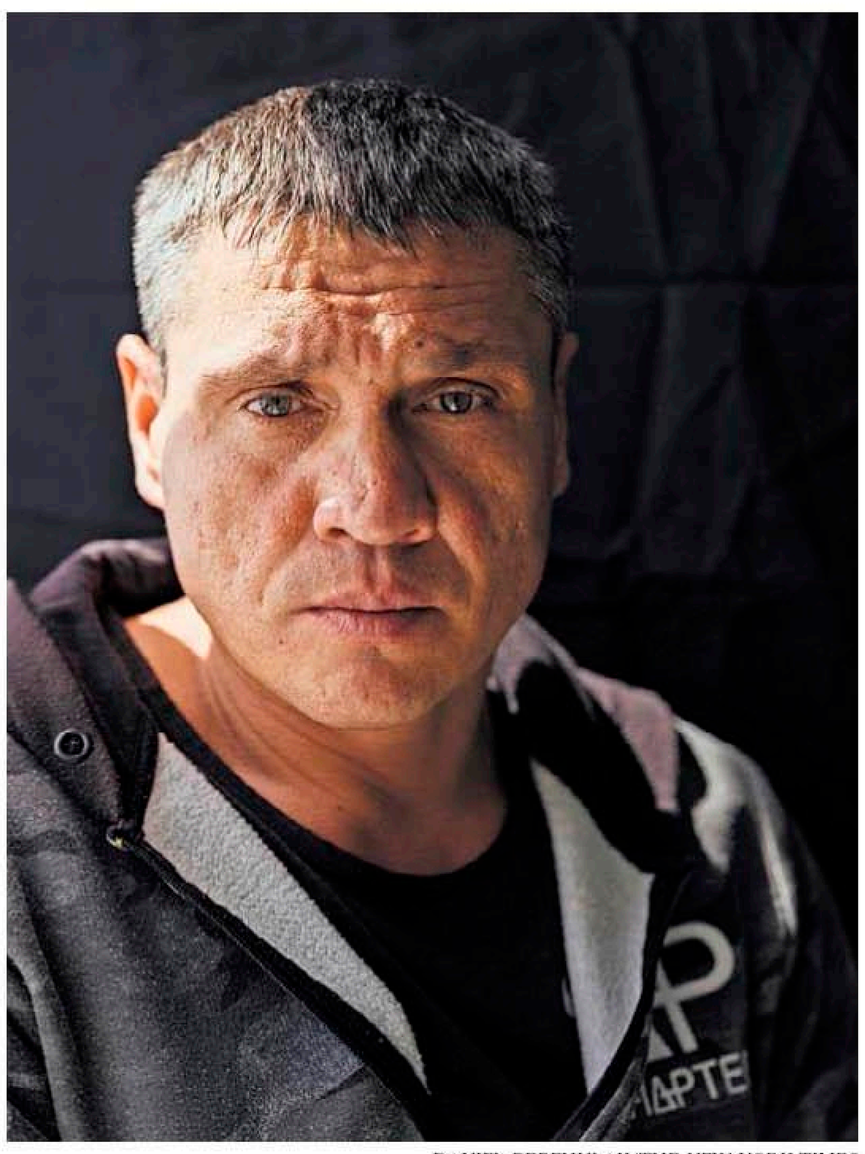
In recent months, Washington and its allies have expanded their joint military drills to help guard against North Korea's growing nuclear and missile threats. They plan to conduct a Proliferation Security Initiative exercise on Wednesday, when their navies will practice interdicting vessels carrying materials for weapons of mass destruction to and from countries like North Korea. Last week, the American and South Korean militaries also started the first of a series of live-fire drills planned until mid-June near the border with North Korea.

The "dangerous military acts by the U.S. and its vassal forces" compel North Korea to secure "a reliable reconnaissance and information means," Ri Pyong Chol, vice chairman of the North's Central Military Commission, said on Monday, revealing the plan to launch the North's "military reconnaissance satellite No. 1."

In 2012, months after Mr. Kim took power, North Korea launched a rocket that it said carried a satellite. In a major embarrassment, the rocket disintegrated moments after launching. But eight months later, another North Korean rocket flew as far as the Philippines. North Korea last claimed to have launched a satellite in 2016, when its rocket also flew over the sea near the Philippines.

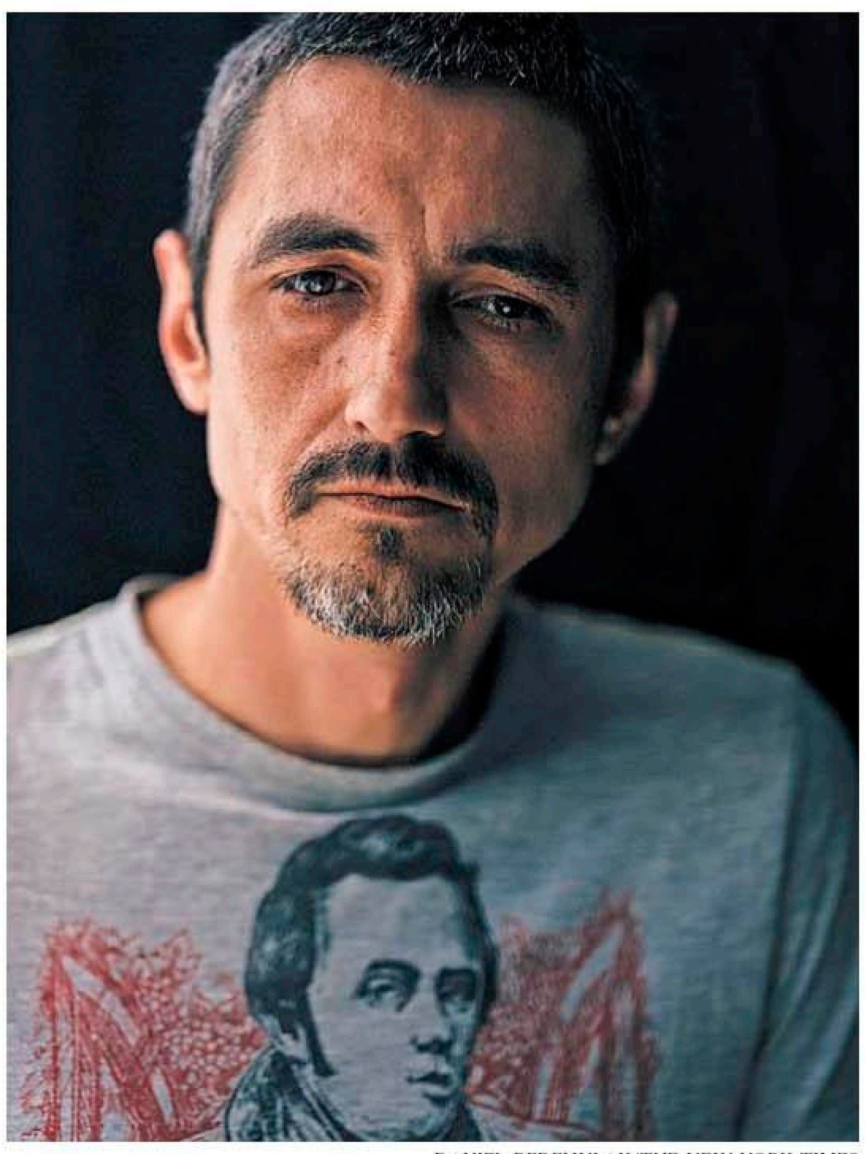
Choe Sang-Hun reported from Seoul, and Motoko Rich from Tokyo.

War in Ukraine



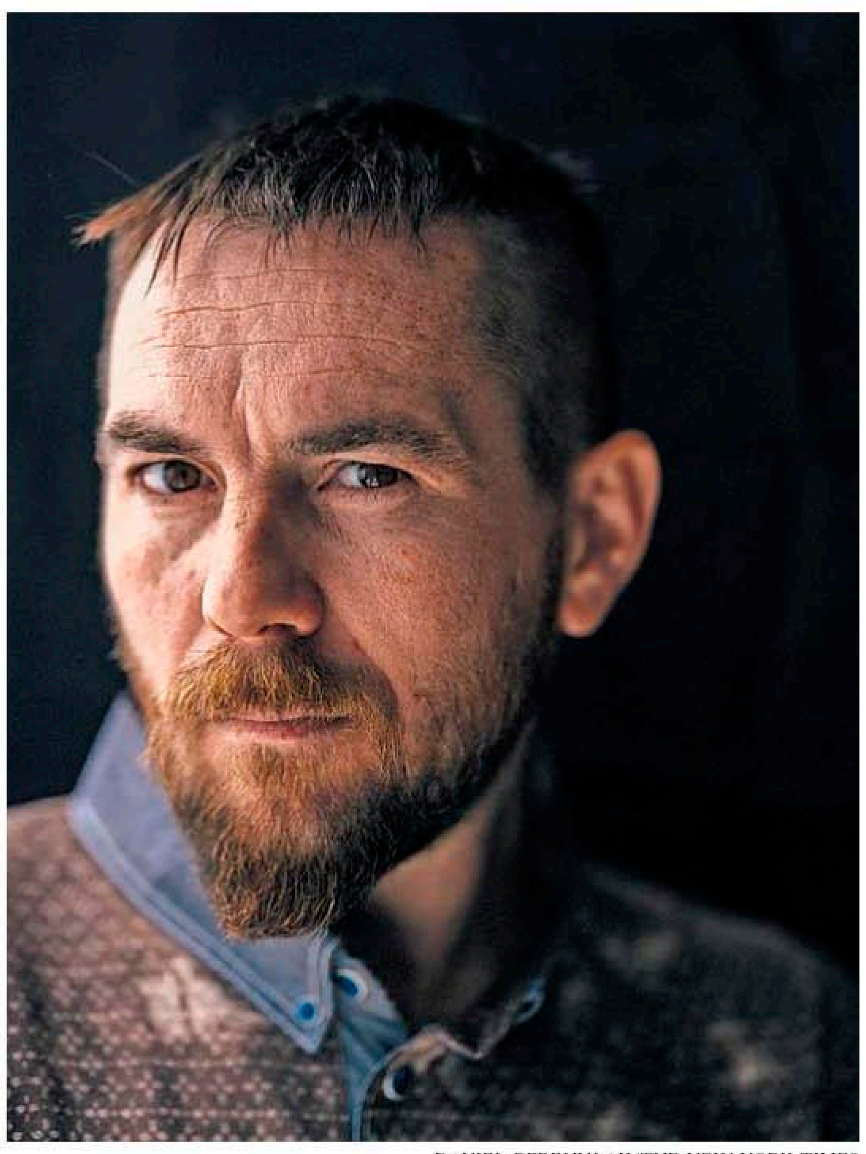
DANIEL BEREHULAK/THE NEW YORK TIMES

Petro Zhadan, a former soldier, said he was heavily beaten. “All my body was blue,” he said.



DANIEL BEREHULAK/THE NEW YORK TIMES

Oleksii Sivak, a sailor who became an activist, said he was tortured with electric shocks and beatings.



DANIEL BEREHULAK/THE NEW YORK TIMES

Roman Shapovalenko, a farmworker, said he was subjected to electric shocks and waterboarding.

Shocks, Beatings and Mock Executions in Kherson

By CARLOTTA GALL

KYIV, Ukraine — They beat prisoners relentlessly and tortured them with electric shocks, waterboarding and mock executions. Three people died in their custody. Yet such was their sense of impunity, the Russians who seized control of a detention center in southern Ukraine last year and filled it with 200 detainees were careless about concealing their identities.

Last week, Ukrainian prosecutors announced war crimes charges against four members of the Russian National Guard — the commander who ran the detention facility and three of his subordinates. They were accused in absentia for cruel treatment of civilians and violating the laws of war.

The case is one of the first to emerge from months of investigations by Ukrainian prosecutors in the southern region of Kherson, which Russian forces occupied for more than eight months until they were forced out by a Ukrainian counteroffensive in November. Investigators say they have uncovered hundreds of crimes that were carried out under the Russian occupation, including executions and deaths in custody, torture, sexual violence and beatings in the recaptured areas.

Investigators in the Kherson region have found 11 detention facilities with torture chambers where men and women were abused. The four men charged with war crimes oversaw the pretrial detention center at No. 3, Thermal Energy Street, in the center of the region’s main city, Kherson. Some of the victims helped identify them from photographs of the Russian National Guard unit that took over the detention center last summer. Prosecutors arranged for four of those victims to talk to journalists in Kyiv last week.

Two men and one woman died at the center, investigators said. The men had been beaten, and all three had been denied health care, the investigators said, adding that 17 detainees said they had been subjected to sexual torture with electric shocks to the genitals.

The four Russians accused are Col. Aleksandr Naumenko from the southern Russian city of Rostov-on-Don, Aleksandr Bocharov from the Krasnodar region, Anver Muksimov from Stavropol and Aleksandr Chilengirov from the Orenburg region.

The National Guard was established in 2016 by President Vladimir V. Putin to consolidate Russia’s various Interior Ministry units. The National Guard, which is separate from the Russian Armed Forces, is responsible for internal security and answers directly to the president.

Investigators said they had identified the National Guard unit using information from Ukraine’s intelligence service, telephone intercepts and witnesses. Much of the violence was gratuitous and applied during interrogations to force confessions, Andriy Kostin, the prosecutor general of Ukraine, wrote in a Facebook post about the Kherson case.

“Confessions were ‘beaten out’ of people about things they did not do,” he wrote, comparing the methods to those of the secret police during Joseph Stalin’s purges.

Oleksii Sivak, 38, a Ukrainian seaman who became an activist during the occupation, painting Ukrainian flags, national symbols and graffiti around the city of Kherson, was arrested in August; he said he suffered beatings and

Ukrainians describe torture in Russian detention centers.

electric shocks, including to the genitals, during interrogations. He was able to identify at least one of the men accused.

“Every question was followed by an electric shock or a punch,” he said in an interview in Kyiv. “If you fell from the electric shock onto the floor, they kicked you and put you back on the chair.”

The shocks continued for about an hour, with only 30-second breaks, he said. “The moment you enter, they start doing it and they take it in turns on this dynamo machine,” he said. “There was a man asking questions and men who were torturing.”

At one point, he caught sight of his interrogators when they pulled off a knitted cap covering his eyes and put a pistol to his head to force a confession.

“I saw, at that moment, two guards and two intelligence servicemen who took me from my home,” he recalled. The men were all wearing balaclavas, he said, as was the colonel in charge of the detention center.

But the guard who escorted him to the torture chamber did not bother to wear a mask, Mr. Sivak said, and he was able to identify the guard from photographs.

Mr. Sivak’s neighbor, Roman Shapovalenko, 38, who was arrested on the same day, said in an interview that he had suffered electric shocks and beatings that broke his ribs. On one occasion, his torturers stabbed him in the leg and jumped on his chest, he said, and he lost consciousness several times while being waterboarded. Another time, his torturers pulled off the hat concealing his eyes and made him attach the wires to his genitals himself. He saw at least three people in the room, but they all wore balaclavas.

Mr. Shapovalenko said the most painful torture had involved electric shocks to the earlobes. “You have flashes like lightning in your eyes,” he said. “I could not sleep for three days.” He joked with his cellmates that he had obtained a Wi-Fi connection and that he was watching YouTube videos and war movies play before his eyes.

One of Mr. Shapovalenko’s cellmates, a man in his 50s named Ihor, died from the vicious beatings he had received, he said. Ihor was interrogated for three or four days, and after they returned him to the cell, the Russian guards ordered him to write a statement and kept rousing him to prevent him from sleeping. On the fourth day they let him sleep, but by then it was too late and he died that night.

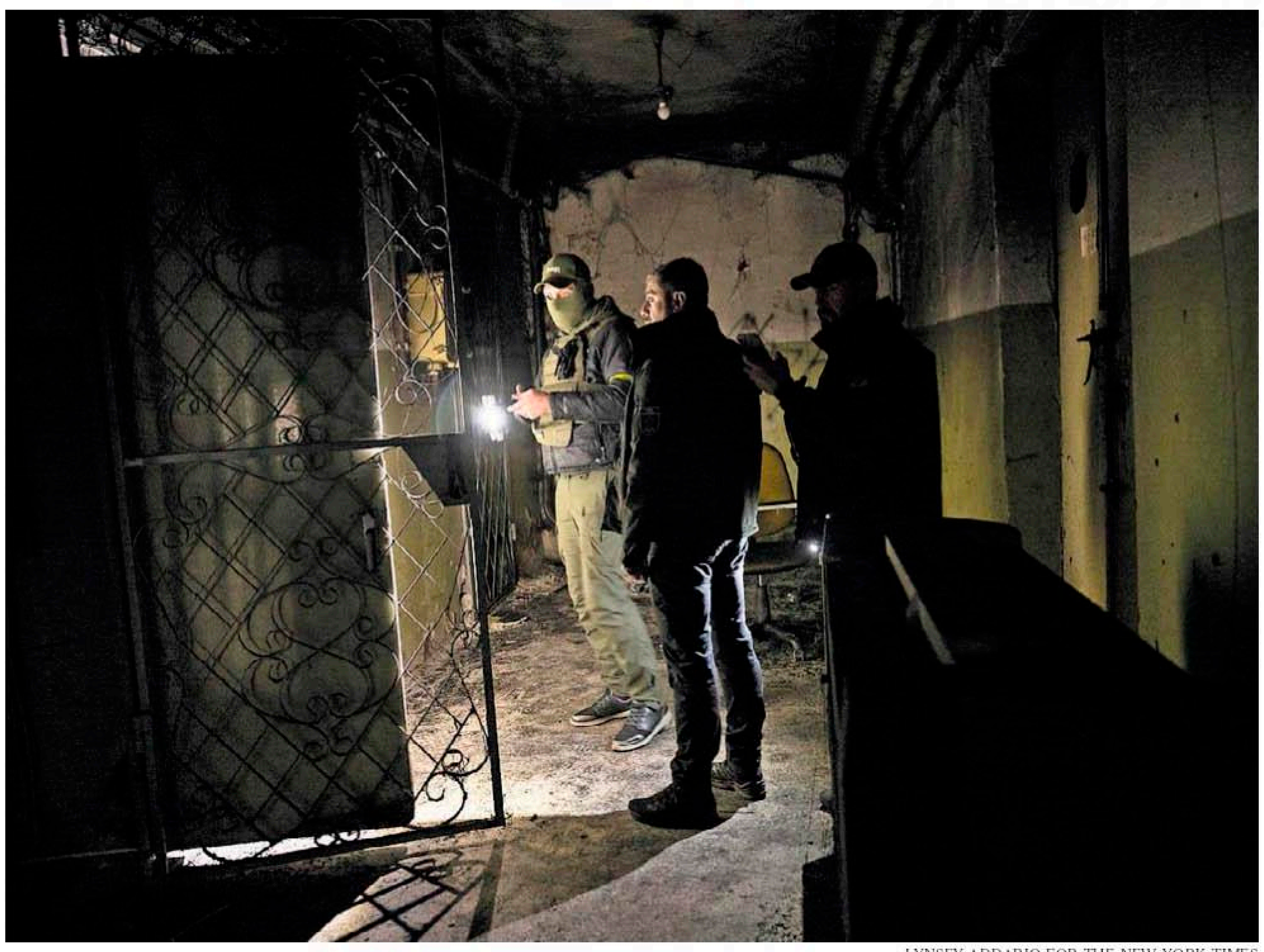
“They never read his testimony,” Mr. Shapovalenko said. “All of us thought we would end up like that.”

Another man, Serhii Ruban, 42, a sales consultant, also died in the detention center, prosecutors have established. His mother, Nina Ruban, 70, said she last saw him alive when he was arrested on June 12. Six days later, she was told at the army headquarters that her only son was dead.

Two witnesses saw him being heavily beaten in the corridor and inside their cell, prosecutors said, and a third witness moved his body to the morgue. Investigators found his body among the remains in a mass grave, and in February, his mother identified him by a tattoo on his knuckles. He had multiple rib fractures, leaving her in no doubt that he was beaten to death.

“He was all broken,” she said, weeping.

Oleksandr Chubko and Dyma Shapoval contributed reporting.



LYNSEY ADDARIO FOR THE NEW YORK TIMES

Investigators at a makeshift prison in the Ukrainian city of Kherson in November after its recapture. Prosecutors have charged four members of the Russian National Guard with war crimes.

Moscow Is the Target of a Drone Attack, Bringing the War Home

From Page A1

that he did not have details about the drone attacks and was speaking more generally.

In Moscow, where the drone incursion raised questions about Russian air defenses, Kremlin officials sought to dismiss the seriousness of the attack, even while suggesting it would lead to changes.

“It’s clear what needs to be done to increase the density of the capital’s air defense systems,” said Mr. Putin. “And we will do just that.”

Still, a ruling party lawmaker, Andrei Gurulev, said people in the city center of Moscow were more likely to be hit by an electric scooter than by a drone. “We didn’t do too badly today,” he told state news media.

The Russian Defense Ministry said that five of the drones had been shot down, and that three had their signals jammed electronically.

When Russia launched its full-scale invasion of Ukraine last year, after seizing territory there in 2014, it was expected to win quickly and decisively. Instead, the Ukrainian military made Russia fight for every inch.

Now, more than a year after Russian tanks rolled into Ukraine, a series of embarrassing attacks on Russian soil have shown that even at home the Russians can be vulnerable.

Ukraine has staged a brazen drone assault on military air bases deep inside Russia. A drone also hit an oil facility near an airfield in the Russian province of Kursk. Earlier this month, drones exploded over the Kremlin, an assault that U.S. officials said was most likely carried out by one of Kyiv’s special military or intelligence units.

And just last week, a cross-border assault in southern Russia by anti-Kremlin fighters stretched over the course of two days, potentially opening up a new set of battlefield problems. A similar attack was reported on Tuesday.

Russia is vulnerable to drone attacks in part because of its size — the border with Ukraine is more than 1,400 miles — but also because its air defense radars are designed to detect aircraft and missiles bigger than drones, said Sam Bendett, an adviser on Russian studies at CNA, a nonprofit research organization based in Virginia.

Apart from creating a sense of vulnerability in Russia, he said, Ukrainian drone attacks might serve to test Moscow’s air defense systems and identify potential weaknesses that could be exploited in other attacks.

Part of the challenge for Russia has been adapting the complex air defense system that encircles Moscow to the threats of a new era.

“Previously, air defense systems near cities would tune out anything smaller than a helicopter,” said Ian Williams of the Missile Defense Project at the Center for Strategic and International Studies, a Washington think tank. “Small drones may have a radar

Washington notes that Russia has struck Kyiv 17 times this month.

return the size of a goose, so if you tune your radars to look for enemy drones, you’ll also see a lot of birds.”

Still, it is unconfirmed that Ukraine was behind Tuesday’s attack, and big questions remain about Ukraine’s drone capabilities

Last fall, Ukraine’s state-owned weapons maker, Ukroboronprom, said that it was close to developing a drone that could carry a 165-pound warhead more than 600 miles, putting Moscow well within range, and that it had completed tests of the weapon. But Ukraine has not announced the use of such a long-range drone in combat.

U.S. defense officials said Tuesday that the next round of weapons sent to Ukraine would include missiles for the Patriot air defense system and more rockets for the HIMARS mobile system. The $300 million military aid package could be announced as soon as Wednesday.

On Tuesday, the head of the powerful Russian mercenary group Wagner, Yevgeny V. Prigozhin, said the attack highlighted Russia’s technological lag in drone warfare, and renewed his tirade against Russian military officials, whom he has long accused of incompetence.

“What should common people do when explosives-laden drones are crashing into their windows?” he said in an audio message posted on Telegram, adding: “The people have full right to ask them these questions.”

Mr. Prigozhin noted that some of the drones crashed in the neighborhoods of Russian political and military elites. “Let your homes burn,” he said, referring to military and political elites.

Igor Girkin, a former paramilitary leader who had long called for an escalation of the war in Ukraine, said on Telegram, “The strength of the psychological blow caused by the drone attack on Moscow is not in the scale of destruction, but in the fact that the nation’s leadership has promised us not a war, but a special military operation.”

“Instead of an honest conversation with a nation, we get blurry consolations about Napoleon’s conquest of Moscow: Don’t worry, everything is going to plan,” he said. “What is the real plan then?”

Tatiana Stanovaya, a Russian political scientist based in Paris, said a lack of wartime leadership under Mr. Putin was becoming glaring. “Everything is built on his often voiced idea of a ‘patient nation’ that understands everything and will endure anything,” she wrote on Telegram on Tuesday. “Let’s see.”

In Ukraine, where incoming drones and missiles are commonplace, some looked at what was happening in Moscow with grim satisfaction.

“It is great that they can feel what we feel every day here,” said Samir Memedov, 32, an account manager in Kyiv who has had to take shelter in a subway station during Russian attacks this week.

Another Kyiv resident, Yulia Honcharova, said she had mixed feelings.

“I’m not among those who believe that we should bomb their residential quarters at night,” she said, “but I do want them to feel what it is like to live under constant alarms, like people live in Kyiv, Kharkiv, Dnipro.”

Reporting was contributed by John Ismay, Marc Santora, Matthew Mpoke Bigg, Andrew E. Kramer, Eric Schmitt, Anna Lukinova and Victoria Kim.

Taiwan Envoy Says Success Vs. Russians Is ‘Important’

By EDWARD WONG

Bi-khim Hsiao, Taiwan’s de facto ambassador to the United States, said Tuesday that Ukraine’s success in defending itself against Russia’s invasion, with the help of the United States and other nations, is important for deterring China from trying to invade Taiwan, a democratic island that the Chinese government considers part of its territory.

“I think pushing back on aggression is the key message that will help to deter any consideration or miscalculation that an invasion can be conducted unpunished, without costs, in a rapid way,” Ms. Hsiao told reporters over a breakfast organized by The Christian Science Monitor.

“We must ensure that anyone contemplating the possibility of an invasion understands that, and that is why Ukraine’s success in defending against aggression is so important also for Taiwan.”

Why it matters: Some Republicans want to prioritize aid to Taiwan.

Ms. Hsiao’s statement rebuts arguments by a few Republican lawmakers and former U.S. officials that the United States should decrease weapons aid to Ukraine in order to prioritize building up Taiwan’s defense capabilities and U.S. military resources aimed at countering China.

Senator Josh Hawley, Republican of Missouri, is making this argument, as is Elbridge Colby, a Pentagon official in the Trump administration who has advised Mr. Hawley.

They say some of the same missile and weapons systems that Taiwan needs for preventing a potential Chinese invasion — including Javelins, Stingers and Patriots — are being sent to Ukraine.

The fastest way for the weapons to reach partner nations is through a process known as the presidential drawdown authority, which allows the U.S. government to transfer arms from the Pentagon’s stockpiles. But those reserves have been depleted by aid to Ukraine.

Those current and former Republican officials also say Taiwan should take priority in receiving weapons that roll off production lines years in the future. Ms. Hsiao said she is not concerned about that since Taiwan’s weapons orders are on a separate track from those of other governments.

Background: China wants Taiwan under its rule, eventually.

Ms. Hsiao’s main big-picture point is that China is watching Russia’s invasion of Ukraine closely and drawing lessons from it. The greater the cost to Russia, the less likely it is that China will take similar steps, the thinking goes.

“Our best hope is that Beijing also takes the lesson that aggression will not succeed, that there will be tremendous international pushback against aggression,” she said.

China is Russia’s most powerful partner, and the two nations declared their relationship had “no limits” before President Vladimir V. Putin of Russia ordered a full-scale invasion of Ukraine in February 2022. Xi Jinping, the leader of China, has continued to show support for Mr. Putin, but so far has refrained from giving weapons aid to Russia, U.S. officials say.

This shows that China is being cautious about running afoul of sanctions imposed on Russia by the United States and other nations.

Like Chinese leaders before him, Mr. Xi has asserted that Taiwan must eventually come under the rule of China.

But senior Biden administration officials say there is no intelligence indicating Mr. Xi has explicitly laid out a timeline for this. Ms. Hsiao said Taiwan does not have evidence of a specific timeline either.

What’s next: Taiwan is ramping up its own preparedness.

The U.S. government is determined to turn Taiwan into a “porcupine,” an entity bristling with weapons that would be too painful to attack.

Ms. Hsiao said Taiwan is aware of the need to build up military deterrence while assuring China it wants to maintain the status quo rather than declaring independence.

She noted that Taiwan is increasing the length of its compulsory military service for men from four months to one year; is working with the United States to improve military training; and is creating the capability to service F-16 fighter jets on its own.

A British Reporter Had a Big #MeToo Scoop. It Was Killed.

From Page A1

have a big enough business profile to make him an "F.T. story," colleagues said.

Mr. Cohen's departure and the death of Ms. Marriage's article offer a window into the British news media's complicated relationship with the #MeToo movement. Leading American newsrooms — Fox News, CNN, NBC, The New York Times and others — have confronted misconduct allegations. British journalism has seen no such reckoning.

For Lucy Siegle, the death of the Financial Times article hit especially hard. In 2018, she had reported Mr. Cohen to The Guardian, saying he had groped her in the newsroom, but nothing had happened. Now it seemed the whole industry was protecting itself.

"It just amplified this sense that #MeToo is nothing but a convenient hashtag for the British media," Ms. Siegle said. "The silence on its own industry is just really conspicuous."

The British news media is smaller and cozier than its American counterpart, with journalists often coming from the same elite schools. Stringent libel laws present another hurdle. And in a traditional newsroom culture of drinking and gender imbalances, many stories of misconduct go untold, or face a fight.

In July 2016, for example, The Daily Mail reported that a court had granted a domestic violence restraining order against a former Financial Times executive, Ben Hughes. The article vanished from the internet without explanation.

Then in 2019, The Sun reported that a former Guardian executive, David Pemsel, had sent messages to a former employee, pestering her for a sexual relationship. After he complained, the newspaper apologized and, though it did not say the article was inaccurate, deleted it.

In an email, Ms. Marriage said she could not comment on "F.T. decision-making" and referred questions to a spokeswoman for the newspaper, who would not comment on internal discussions. "Some reporting leads to published stories," the spokeswoman said, "and some not." Ms. Khalaf did not respond to requests for comment.

Mr. Cohen spent two decades as a columnist for The Observer, The Guardian's Sunday sister paper. He won a prestigious award for writing about right-wing politics in the run-up to Brexit. His book "What's Left" was shortlisted for the Orwell Prize, Britain's top political journalism award. Inside the newsroom, he was seen as influential, colleagues said, someone who could help your career.

His resignation in January cited "health grounds." Secretly, the newspaper group paid him a financial settlement for quitting and agreed to confidentiality, according to three colleagues and an editor with whom Mr. Cohen spoke.

In his farewell, editors praised his "brilliant" and "incisive" coverage.

Seven women told The New York Times that Mr. Cohen had groped them or made other unwanted sexual advances over nearly two decades. Four insisted on anonymity, fearing professional repercussions. In each case, The Times reviewed documents or otherwise corroborated their accounts.

Ms. Siegle recounted Mr. Cohen grabbing her bottom in the newsroom around 2001. Five other women described similar encounters at pubs from 2008 to 2015. One said Mr. Cohen had pressed his erection against her thigh and kissed her uninvited when they met to discuss her career. A seventh said Mr. Cohen had repeatedly offered to send her explicit photographs in 2018 while she worked as an unpaid copy editor for him.

Mr. Cohen's reputation was widely known in the newsroom, according to 10 former colleagues, both male and female. One former colleague said she and other female journalists had used a different entrance to a pub to avoid being groped by him. Another woman said she had avoided the bar downstairs from the newsroom after Mr. Cohen grabbed her knee during work drinks.

"There is so much sexism in a lot of British newspapers, and it seems, unfortunately, that many women believed sexual harassment was something you just had to put up with," said Heather Brooke, an investigative journalist who told The Times that Mr. Cohen had groped her at an awards ceremony in 2008, before she had a high profile.

Guardian News & Media did investigate Mr. Cohen, but only after Ms. Siegle wrote on Twitter in 2021 about her experience.

Even then, it was a story that few in the British news media wanted to tell. The Guardian signed a confidentiality agreement with Mr. Cohen. The Financial Times spiked its story. Even the investigative magazine Private Eye did not cover his departure. When a reader emailed asking why, the editor replied: "Coverage of Nick Cohen's departure from The Observer is obviously more problematic for The Eye than the others that you mention due to the fact that he used to write a freelance column for the magazine."

Mr. Cohen's departure got a mention only in The Press Gazette, a media trade website.

In a phone interview, Mr. Cohen said he did not have the "faintest idea" about Ms. Siegle's accusation and questioned why she had waited so long to report it. He said the conversation with the copy editor was "joking" among friends. He blamed their accusations on a campaign by his critics, including advocates for Russia and for transgender rights.

Informed that seven women had come forward with sexual misconduct complaints, Mr. Cohen exclaimed, "Oh, God."

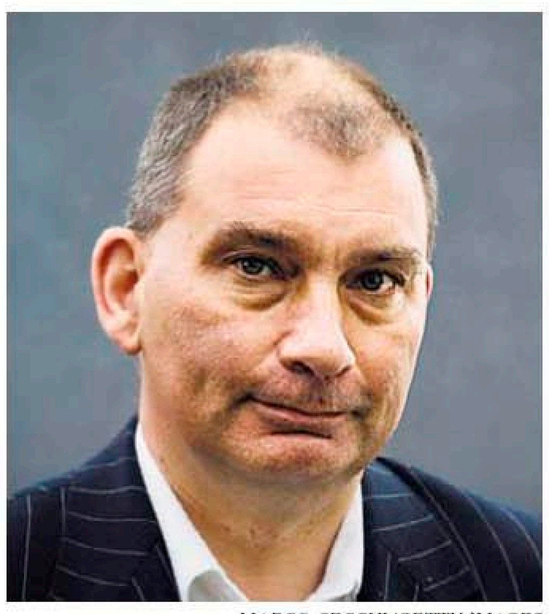
"I assume it's stuff I was doing when I was drunk," said Mr. Cohen, a recovering alcoholic.

In a subsequent email, Mr. Cohen did not respond to specific accusations. "I have written at length about my alcoholism. I went clean seven years ago in 2016," he said. "I look back on my addicted life with deep shame."

ANDREW TESTA FOR THE NEW YORK TIMES

'The silence on its own industry is just really conspicuous.'

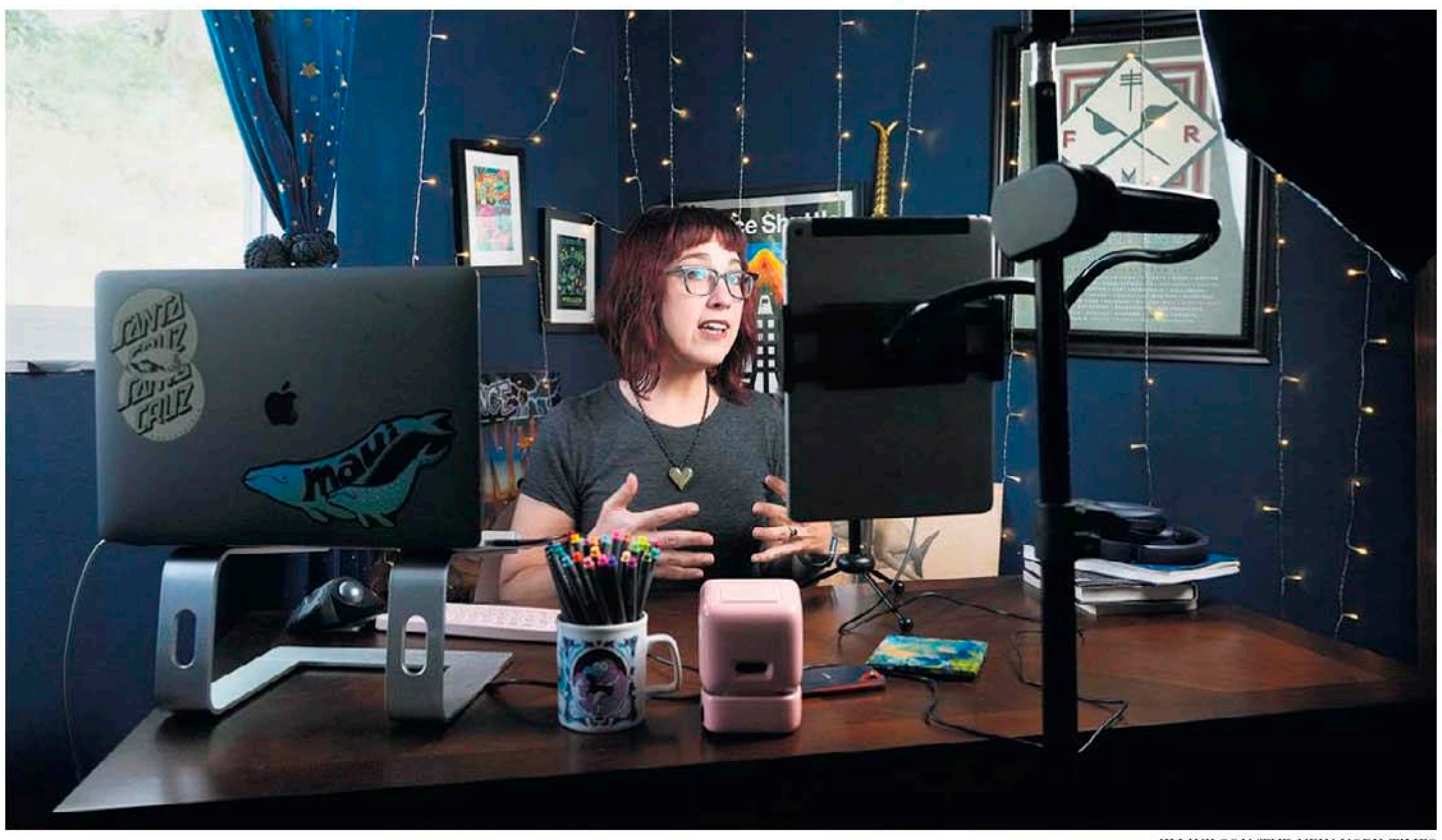
LUCY SIEGLE, a journalist who accuses the former Observer columnist Nick Cohen of groping her, on the British news media.



MARCO SECCHI/GETTY IMAGES

JAMES MANNING/PA IMAGES, VIA GETTY IMAGES

Nick Cohen was an Observer columnist for two decades. Roula Khalaf, the editor of The Financial Times, right, made the decision against a story about him.



JIM WILSON/THE NEW YORK TIMES

Rebecca Watson, a writer and commentator, said that Mr. Cohen grabbed her bottom at a book party in 2009.

Many of the women and their colleagues were especially disappointed in The Guardian because of its extensive #MeToo reporting. One week before Ms. Siegle's complaint in 2018, it solicited tips about workplace sexual harassment.

"We take all allegations of workplace harassment extremely seriously and aim to support victims in all circumstances," a Guardian News & Media spokesman said in a statement. "We have processes which anyone can use to raise complaints so that they can be fully investigated."

The company did not respond to specific instances identified by The Times. It said that only Ms. Siegle had complained to senior managers about Mr. Cohen, and that she had chosen not to pursue the complaint — something she denies. As soon as Ms. Siegle went public, the company said, it opened an investigation.

Mr. Cohen left the newspaper and told The Times that he had accepted a deal after considering the financial implications for his family, in particular his son who has autism.

"I'm the only person whose life is turned over because of this," he said.

The Least Powerful Person

The #MeToo movement was sweeping through society on Feb. 1, 2018, when Ms. Siegle met with The Guardian's managing editor, Jan Thompson, to report her experiences with Mr. Cohen.

Ms. Siegle had started at The Guardian around 2001 as an editorial assistant. She described standing at a photocopier when Mr. Cohen appeared behind her, cupped her bottom with both hands, grunted and breathed heavily into her ear.

Ms. Siegle remembers returning to her desk, humiliated. She never considered reporting him. "I'm literally the least powerful person in the entire newsroom," she said.

For 14 years, as she advanced at The Observer, she said, she avoided his desk and chaperoned interns "like a mother hen crossing a busy road."

At the Feb. 1 meeting, Ms. Siegle said, Ms. Thompson responded by talking about the abuse that Mr. Cohen faced for his political views, according to notes Ms. Siegle wrote afterward. She described the meeting as a "chaotic mess of defensiveness and attack."

The Guardian spokesman said Ms. Siegle, who was by then a freelancer for the newspaper, had opted not to pursue her complaint. Ms. Siegle said an investigation was never offered. A week after the meeting, Ms. Thompson emailed to let Ms. Siegle know that she was "here if you want to discuss further." Ms. Siegle declined.

In interviews, former Observer and Guardian managers said they knew Mr. Cohen had a drinking problem but could not remember anyone reporting sexual misconduct. "In a way, I'm puzzled," said Chris Elliott, a former managing editor of both papers. "Because I should have heard something about it on the grapevine."

Jean Hannah Edelstein, an assistant at The Observer from 2007 to 2009, said Mr. Cohen was not alone in his behavior. She recalled her editor hitting her with a sex whip as she walked by. Over one boozy lunch, she said, the same editor offered to help her career and suggested that she pose naked to promote her book.

Several journalists said Mr. Cohen's reputation for groping was far from secret, and five women said he had groped them after work at pubs, including one who said he had groped her "five or six" times in 2008.

Another woman, a freelance journalist who had recently been homeless and had depression, said she met Mr. Cohen at a pub in 2010 to discuss her career. As they chatted, she said, he suddenly kissed her on the mouth and pressed his erection against her thigh. She said she fled.

"I just remember walking along Waterloo Bridge and thinking, 'I can't go to The Guardian with this. Who would they believe?' " she said. "He was one of their stars, and I was a freelance journalist with mental health issues."

Ms. Brooke, the investigative journalist, said she had dismissed her encounter with Mr. Cohen at the 2008 awards ceremony as "a one-off drunken mistake and didn't take it further." ("Nick Cohen got drunk and slapped my ass . . . ugh!" she wrote in her diary the next day.)

But she said that "now I know that this is a pattern of behavior over 20 years. I think it's really important to speak out."

Rebecca Watson, a writer and commentator, said Mr. Cohen had grabbed her bottom at a book party in 2009. Her now-former husband said he had witnessed it but did not confront Mr. Cohen because he did not want to cause a scene.

"To sexually assault a stranger at a book launch, to be one of the more prominent people there, and to just assume there will be no comeuppance," Ms. Watson said.

Not long after Ms. Siegle lodged her complaint with The Guardian in 2018, records show, Mr. Cohen began working with a freelance copy editor, a single mother with autism.

She worked remotely for Mr. Cohen, unpaid. On June 29, 2018, a work conversation over direct messages on Twitter became punctuated with mutually flirtatious jokes. Mr. Cohen offered to send an explicit photograph. The woman declined. Mr. Cohen persisted, and she deflected again. In the following days, the copy editor said, Mr. Cohen turned cold. In messages, she apologized if she had misread the situation. Eventually, she told him that continuing to work together "would be at a cost too high for my own mental health."

Mr. Cohen, in his email to The Times, said this was the only accusation to surface since he quit drinking and said it had been misrepresented. "It involves a friendship with a woman I never met that, sadly, went badly wrong," he said.

In 2019, the copy editor asked The Guardian's human resources team about the process for raising sexual misconduct claims, emails show. She described the incident without naming Mr. Cohen, saying she felt "huge pressure" to go along with his "banter." Because she was not a Guardian employee, the copy editor said, she was told that she would not be informed of the investigation's outcome. Being frozen out of the process terrified her, so she backed off.

Going Public

In fall 2021, Ms. Siegle wrote on Twitter about her experience. Her lawyer, Jolyon Maugham, began making noise. Ms. Thompson immediately emailed.

"Given that you have now tweeted publicly," Ms. Thompson wrote, "I hope that it means that your position has now changed, and that you would be willing to provide further information so that we can investigate the matter fully."

Ms. Siegle said that was misleading, that The Guardian had not offered to investigate in 2018.

Eventually, Mr. Cohen was suspended and The Guardian hired a law firm to carry out an independent inquiry. Neither Ms. Siegle nor the copy editor agreed to participate.

Mr. Cohen confirmed that he signed an agreement to leave the newspaper, but would not discuss the terms.

Inside the Financial Times

In December 2022, the Financial Times editor, Ms. Khalaf, emailed the newsroom about the coming year's priorities. Among them were Ms. Marriage's investigations into abuses of power.

Publicly, the newspaper had declared "no topic or scandal off limits." Privately, there were limits.

Ms. Marriage had already begun investigating Mr. Cohen and sexual misconduct across the British news media, but Ms. Khalaf shackled the investigation, telling Ms. Marriage not to contact any new sources, according to two colleagues with whom Ms. Marriage spoke. Her team had already interviewed five of Mr. Cohen's accusers.

In February, Ms. Khalaf said she would not run the investigation as a news article, several journalists recalled, and suggested that Ms. Marriage file it as an opinion piece. She did, but it still did not run.

A half-dozen Financial Times journalists said they saw it as part of a wider reluctance to expose bad behavior within its industry.

The Financial Times, like others, has wrestled with gender issues. In June 2020, 56 female staff members wrote to Ms. Khalaf about a "bro culture" that excluded women from decision-making.

Ms. Khalaf was sympathetic, one employee said. Since becoming the newspaper's first female editor in 2020, she has increased the number of women in senior positions.

A native of Lebanon, Ms. Khalaf is not a British media insider. Colleagues described her as a cautious editor, and some said the Cohen article had fallen victim to a conflict between the newspaper's investigative aspirations and its conservative, business roots.

Days after Ms. Marriage's article was dropped, the newspaper ran an investigation into sexual harassment claims against a former TikTok manager. The next month, it ran 23 articles about sexual misconduct accusations inside Britain's business lobbying group.

Erdogan's Enthusiastic Power Base: Devout, Conservative Women

This article is by ***Ben Hubbard, Safak Timur*** *and* ***Elif Ince****.*

ISTANBUL — Ten years ago, Emine Kilic was focused on raising her two children at home in Istanbul when she decided to set up her own clothing company to help support her family.

Her business, started with an interest-free government-backed loan for female entrepreneurs, now employs 60 people and exports to 15 countries, said Ms. Kilic, who has an elementary-school education. She credited a powerful motivator who inspired her to transform her life — President Recep Tayyip Erdogan — calling him a champion for women.

"Thanks to my president, I became the boss of my own company," said Ms. Kilic, 38. She said she had voted for him for years and did so again to help him secure another presidential term on Sunday.

To beat back the most serious political threat to his two-decade tenure as Turkey's dominant politician, Mr. Erdogan counted on the fervent support of an often underappreciated constituency: conservative religious women.

Across Turkey, devout women, both professionals and those who don't work outside the home, not only turned out to vote for Mr. Erdogan in large numbers, but also coaxed their friends and relatives to do the same. Women are also active across the country in his governing Justice and Development Party, from activists who spread party messages among their neighbors over tea to the dozens of women who represent the party in Parliament.

Uniting these women and Mr. Erdogan is a shared conservative Muslim view of female roles in Turkish society, first as mothers and wives, second as members of the work force. In a staunchly secular country where women who covered their hair were long barred from universities and government jobs, many devout women view Mr. Erdogan as their protector because he pushed to loosen those rules.

"Voting in Turkey, especially for our community, is not only about electing someone. It is making a decision about your life," said Ozlem Zengin, a lawmaker and senior female member of Mr. Erdogan's party.

For many conservative women, the bitterness of having their ambitions limited by public expressions of their faith runs deep, even affecting the children of those who lived through it, she said. That resentment also fuels the tremendous gratitude toward Mr. Erdogan.

"Erdogan is loved that much, because he changed people's lives," Ms. Zengin said.

The electricity between Mr. Erdogan and his female supporters coursed through an Istanbul conference hall during a women's rally two days before the May 28 runoff. Thousands of women, some with babies or children in tow, packed the hall, clapping and waving their arms to campaign anthems and holding up their cellphone flashlights to welcome him onstage.

"Women are the most important heroes in our struggle to serve the country," Mr. Erdogan said, to rapturous applause.

PHOTOGRAPHS BY SERGEY PONOMAREV FOR THE NEW YORK TIMES

A rally in Istanbul last week for President Recep Tayyip Erdogan of Turkey, left, before his win in a runoff election. He lifted secular rules that barred head scarf wearers from teaching and other jobs.

He reminded his audience that he had delivered on conservative causes, lifting head scarf bans and turning the Hagia Sofia, one of Turkey's architectural treasures, from a museum into a mosque. And he made a new promise to seek retirement pay for women who do not work outside the home, garnering more cheers.

"We will burst the ballot boxes," Mr. Erdogan said. "Don't just go by yourself. You must make sure your families, neighbors and distant relatives also go to the ballot box."

"The women are with you!" the crowd chanted.

Mr. Erdogan's loyal following among conservatives is rooted in Turkey's history.

Though a predominantly Muslim society, the country was founded in 1923 as a secular state. That gave the government oversight of religious institutions and the power to keep open displays of religiosity out of the public sphere.

Some Turks treasure that secularism as a pillar of the republic. But it rankled many devout people, including women who felt that it made them second-class citizens. Some women had to remove their veils to attend university. Others wore wigs.

Ms. Zengin, the lawmaker, said she had worked as a lawyer for 20 years without being allowed to even enter the courtroom because she covered her hair.

"If you were a defendant or an aggrieved party, you could enter the courtroom, but not as a lawyer," she said. "It was incomprehensible."

Since Mr. Erdogan arrived on the national stage in 2003 as an ambitious Islamist politician, he has sidelined Turkey's secular elites and consolidated power in his own hands. Along the way, he pushed to loosen head scarf restrictions.

The restrictions were lifted on university campuses in 2008, and in 2013 four veiled women from Mr. Erdogan's party became members of Parliament, a first. Now, there are many more, and conservatives still thank Mr. Erdogan with their votes.

"I feel like I have a debt to him," said Eda Yurtseven, a kindergarten teacher. "I owe him a lot because now I can live freely."

Mr. Erdogan's vision of the family remains conservative, holding sacrosanct the notion of marriage being only between a man and a woman, preferably with three children. His idea of personal freedom leaves little room for L.G.B.T.Q. people in Turkey.

"We believe the family is sacred," he said during the women's rally. "We must take precautions now against these trends that are spreading like the plague."

Turkey's Constitution grants equal rights to men and women, and its labor code bars gender-based discrimination. But women still earn 15.6 percent less than men on average, according to a United Nations report last year.

In 2021, Mr. Erdogan shocked rights groups by withdrawing Turkey from an international treaty on preventing violence against women that he had signed in 2011. Women's advocates consider the country's domestic violence laws strong but say that physical and sexual abuse against women remains common and often goes unreported or is not properly investigated by the authorities.

Female political representation has increased during Mr. Erdogan's tenure, and women won about 120 seats in the 600-member Parliament in this month's election. Still, the United Nations report said, most women work in campaigning, communications or support roles, not in high-level decision making.

> 'I owe him a lot because now I can live freely.'

Mr. Erdogan has been a pioneer in tapping the power of devout, conservative women in grassroots politics in Turkey, said Nur Sinem Kourou, a professor at Istanbul Kultur University who has studied his party's women's groups. Many work in their neighborhoods, she said, spreading party views through informal meetings or religious activities while gathering information to feed back to the party.

"The fact that the women's branches are on the ground every week, every day means that they analyze society very well," Ms. Kourou said. "That data leads back to Erdogan's speeches on TV."

Those activists remain fiercely loyal to Mr. Erdogan, and consider him key to Turkey's future, she added.

"We have to protect him," Ms. Kourou said, summarizing their views. "Erdogan protects us."

That bond means that Mr. Erdogan's staunchest female supporters tend to give him a pass on the country's problems, including a painful cost-of-living crisis, blaming instead other members of his party or foreign powers.

Mr. Erdogan's foes say he has acquired too much power and accuse him of pushing the country toward one-man rule. But his vast control does not bother his loyalists. On the contrary, they say he needs it to do his job.

Mina Murat, 26, said she voted for Mr. Erdogan and his party because they protected her right to cover her hair.

"My teacher used to wear a wig over her head scarf in school," she recalled. "Women couldn't attend college and couldn't get government jobs because of their head scarves."

Now, Ms. Murat works in a clothing store geared toward conservative women, with head scarves in a vast array of colors and patterns.

"Now we can dress fashionably and conservatively," she said.

Time of Rising Tensions In Kosovo and Serbia

By CORA ENGELBRECHT

Dozens of NATO peacekeepers were injured this week in northern Kosovo when they clashed with ethnic Serbs, raising fears of a larger escalation between Serbia and Kosovo.

The violence came after Kosovo's ethnic Albanian leadership sent heavily armed security forces to take control of town municipal buildings, the latest turn in a dispute that has roots going back to the Balkan conflicts of the 1990s.

Kosovo, where a majority of the population is ethnic Albanian and Muslim, declared its independence from Serbia in 2008, almost a decade after NATO's bombing campaign that drove Serb forces, responsible for years of brutal mistreatment of ethnic Albanians, from Kosovo.

Since then, the two countries have clashed over Kosovo's treatment of its minority ethnic Serb population.

The fighting in recent days — mostly skirmishes, but also some shooting — began when the Kosovan government deployed its security forces in several towns to install the ethnic Albanian mayors who had won in local elections last month. Local Serbs had mostly boycotted those votes.

Each side has blamed the other for the fighting. NATO's secretary general, Jens Stoltenberg, called the recent clashes "unacceptable" on Tuesday and said that 700 reserve troops had been deployed to help the peacekeeping mission there, which included 3,800 troops before the conflict. In response to the violence, Serbia's president, Aleksandar Vucic, said in a statement released by his office that he had put the army on the highest level alert.

Here is what we know.

Joe Orovic and Andrew Higgins contributed reporting.

How did the violence start?

The recent clashes were centered on four northern municipalities bordering Serbia that are home to much of Kosovo's Serb minority.

Serbian nationalists living in Kosovo, many of whom still regard the Serbian capital, Belgrade, as their true capital, have staged protests throughout the past decade to resist integrating with Kosovo.

The boycott of local elections last month was prompted by a Serbian political party in Kosovo. In a statement posted to Facebook days before the election, the group dismissed the process as "undemocratic" and urged Serbs to stay home on voting day.

"Serbs should watch with contempt all those who go out to participate in this illegal and illegitimate process that is against the interest of the Serbian people," the post said.

To ensure that the ethnic Albanians who won recent mayoral elections could take their posts, Kosovo's central government last week sent in armed security forces to the area, a move that was condemned in unusually strong terms by the United States, Kosovo's main international backer. Secretary of State Antony J. Blinken on Friday accused Kosovo's ethnic Albanian leadership of "escalating tensions in the north and increasing instability."

GEORGI LICOVSKI/EPA, VIA SHUTTERSTOCK

NATO-led forces blocked ethnic Serbs Monday in Zvecan, Kosovo, after a weekend of skirmishes.

Over the weekend, Serb protesters gathered outside municipal buildings in a number of Serbian-majority towns, facing off with Kosovo security forces and troops from a NATO-led peacekeeping mission called KFOR.

A total of 30 NATO peacekeepers, including 19 Italians and 11 Hungarians, were injured in the clashes. More than 50 Serbs were treated for injuries, Mr. Vucic said.

The NATO mission's commander, Maj. Gen. Angelo Michele Ristuccia, in a statement urged both sides to "take full responsibility for what happened and prevent any further escalation."

Tensions in the region had been building since the elections last month.

In a televised statement early Tuesday, Mr. Vucic blamed Kosovo's prime minister, Albin Kurti, for fueling hostilities. He also criticized NATO's peacekeeping mission, saying it had failed to protect the Serbian population and was enabling the "illegal and forceful takeover" of the majority-Serbian municipalities by the Kosovan government.

Mr. Kurti, Kosovo's prime minister, applauded the NATO forces, saying they had been trying to curb the "violent extremism" in the streets. "In a democracy there is no place for fascist violence," he said in a statement on Twitter. "Citizens of all ethnicities have a right to full & unencumbered service of their elected officials," he added.

What's behind the conflict?

The latest escalation is part of a dispute over the status of Kosovo, which declared its independence 15 years ago, almost a decade after NATO's 78-day bombing campaign in 1999 that drove Serb forces, then engaged in brutal mistreatment of ethnic Albanians, from Kosovo.

While an independent Kosovo has been recognized by the United States and many European countries, Serbia — as well as its key allies, Russia and China — still refuses to recognize Kosovo's independence. It has called the split a violation of U.N. resolution 1244 that dates back to 1999 and the end of the Kosovo war.

President Vucic and other Serbian leaders claim Kosovo as being the "heart" of their country, in part, because it houses many revered Orthodox Christian sites. Mr. Vucic has ruled out recognizing Kosovo and vowed to "protect" ethnic Serbs.

Serbian nationalists in Kosovo have been joined by more moderate Serbs in demanding the implementation of a 2013 deal brokered by the European Union that calls for a measure of self-rule for Serb-dominated municipalities in the north, a provision Kosovo has reneged on.

In February, leaders of Kosovo and Serbia tentatively accepted a peace deal, which was mediated by the European Union and rejected by nationalists on both sides. It has not been formally signed.

What is the regional backdrop to the tensions?

Tensions between the two ethnic communities have flared regularly over the past decade, making the region a hub of unpredictable violence.

Clashes erupted last July in response to a new law that would require ethnic Serbs living in Kosovo to switch from Serbian license plates to Kosovar ones.

The recent escalation of hostilities comes as Russia's invasion of Ukraine has absorbed the attention of Kosovo's important allies, the United States and the European Union.

Serbia, a candidate to join the European Union, has been a close partner with Moscow for centuries. While it voted in favor of a U.N. resolution condemning the Russian invasion of Ukraine, Serbia has refused to join sanctions imposed on Moscow by Western countries.

"Serbs are fighting for their rights in northern Kosovo," Foreign Minister Sergey V. Lavrov of Russia said on Monday during a visit to Kenya. "A big explosion is looming in the heart of Europe," he said.

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The New York Times

MELISSA GOLDEN FOR THE NEW YORK TIMES

Pipes on Brush Mountain in Virginia that have sat for years at a stalled section of the Mountain Valley Pipeline project amid opposition to its construction.

Debt Deal Gives Green Light to Controversial Pipeline

By CORAL DAVENPORT and BRAD PLUMER

WASHINGTON — Environmental activists are enraged by the deal struck between President Biden and Republicans to raise the debt ceiling because it would also expedite construction of a bitterly contested gas pipeline and includes unusual measures to insulate that project from judicial review.

The $6.6 billion Mountain Valley Pipeline, intended to carry natural gas about 300 miles from the Marcellus shale fields in West Virginia across nearly 1,000 streams and wetlands before ending in Virginia, is a top priority of Senator Joe Manchin III, Democrat of West Virginia, but has been fought by environmentalists and many Virginia Democrats for a decade.

A constellation of environmental groups condemned the pipeline's inclusion in a debt limit deal, with one group, Climate Defiance, planning to protest Tuesday evening at the New York home of Senator Chuck Schumer, the majority leader.

One of the companies behind the pipeline, NextEra Energy, is a major donor to Mr. Schumer and Mr. Manchin. In the 2022 cycle, NextEra's employees and political action committees gave $302,600 to Mr. Schumer and $60,350 to Mr. Manchin, according to the Center for Responsive Politics.

Mr. Manchin faces a potentially difficult re-election campaign next year, and pushing the pipeline to completion could help him with voters. Gov. Jim Justice, a popular Democrat-turned-Republican, has announced he will seek the Senate seat in West Virginia, a ruby red state that President Trump carried by nearly 40 percentage points in 2020. Retaining that seat is a priority for Democrats.

"We are in a bleak moment," Climate Defiance wrote on Twitter. "The politicians we trusted with our lives sold us out to fossil fuel CEOs. We have been stabbed in the back. We do not know if we will win but dammit we will not go down without a peaceful uprising like you've never seen."

But White House negotiators, who inserted the pipeline language into the debt limit deal, say Mr. Biden was honoring an agreement that he struck last summer with Mr. Manchin to secure the senator's tiebreaking vote to pass the landmark Inflation Reduction Act, which includes more than $370 billion for clean energy projects.

White House officials say that the benefits from that law far outweigh any new greenhouse gas emissions produced as a result of the West Virginia pipeline. They also noted that they were able to block Republicans from rolling back many of the climate law's clean energy provisions as part of the debt limit compromise.

The bill includes some other small steps aimed at getting energy projects of all types approved more quickly by modifying federal permitting policies under the National Environmental Policy Act. White House officials said they viewed the construction of the Mountain Valley Pipeline as largely a fait accompli, since more than half of the project has been constructed and just a handful of permits remain to be issued.

But opponents of the pipeline argue that completion was far from certain as several court cases are pending. A provision in the debt deal could deem those challenges moot, and would block any future lawsuits.

HAIYUN JIANG/THE NEW YORK TIMES

The $6.6 billion gas pipeline has been a top priority of Senator Joe Manchin, above, but has been fought by environmentalists for a decade. Below, demonstrators with the climate action group Appalachian Resistance and others converged in Washington to oppose the project in September.

KENNY HOLSTON FOR THE NEW YORK TIMES

The agreement would order federal agencies to approve any outstanding permits for the pipeline within 21 days and exempt those permits from judicial review. And if any entity wanted to challenge the legality of that decision, the legislation transfers jurisdiction from the U.S. Court of Appeals for the Fourth Circuit, in Richmond, where environmentalists have won some court victories, to the U.S. Court of Appeals for the District of Columbia Circuit.

The bill would protect a $6.6 billion project from judicial review.

"This is an unprecedented end run around the courts, which have repeatedly rejected permits over M.V.P.'s failure to comply with basic environmental laws," said Ben Jealous, executive director of the Sierra Club, which has challenged several permits related to the pipeline. "We're exploring the legal implications of this proposal and our next steps."

In March, the Court of Appeals for the Fourth Circuit ruled in favor of a case brought by the Sierra Club and other environmental groups that argued that the pipeline should be subject to stronger Clean Water Act reviews.

Senator Tim Kaine, Democrat of Virginia, said he planned to file an amendment to strip out the pipeline language from the debt limit bill. A spokeswoman for Mr. Kaine said he was "extremely disappointed" in the language "bypassing the normal judicial and administrative review process every other energy project has to go through."

On Tuesday, Virginia's six House Democrats filed an identical amendment, although they did not threaten to vote against the larger bill if their effort to amend it did not succeed.

"We have serious concerns regarding the adverse climate and environmental justice impacts this project will have on vulnerable communities in our Commonwealth," said the Virginia House Democrats in a statement. "This project would disproportionately impact the most vulnerable among us, including low-income, the elderly, and tribal and Indigenous communities throughout Virginia."

The Mountain Valley Pipeline has been opposed for years by environmentalists and civil rights activists. Scientists have warned that nations must stop approving new fossil fuel projects if they want to constrain global warming, something President Biden has said is a top priority.

It is unusual for Congress to intervene to protect specific infrastructure projects from court oversight, said Michael Gerrard, an environmental law expert at Columbia University. In one similar instance in the 1970s, lawmakers from Tennessee managed to exempt a dam in their state from the Endangered Species Act in order to overcome legal challenges, a move that garnered widespread attention at the time.

The effort to fast-track the Mountain Valley Pipeline could set a precedent for other projects tied up in courts, Mr. Gerrard added. "One could imagine another company saying to their favorite senator, 'Hey, Joe Manchin did this for them, why not for us?'" he said.

Some activists warned that the move could cost Mr. Biden election-year support among the young, climate-minded voters who helped elect him in 2020 but are now angered at his administration's approval of multiple fossil fuel projects, including the Mountain Valley Pipeline, the Alaska oil drilling project known as Willow, and a contentious pipeline project that would carry hundreds of thousands of barrels of oil through Minnesota's delicate watersheds.

That anger comes even as Mr. Biden has pushed through both the new climate law, which is projected to reduce America's climate-warming carbon dioxide emissions by up to one billion tons in 2030, as well as proposed regulations that could eliminate as much as 15 billion tons of carbon dioxide by 2055.

Federal regulators have estimated that if all the natural gas carried in the Mountain Valley Pipeline were burned in power plants and homes, it would release about 40 million tons of carbon dioxide a year — the equivalent of what nine million cars produce annually.

But calculating the full impact on climate change is trickier, experts said. Some of that gas might have been burned anyway even if the pipeline were not built, and some of it could replace coal, an even dirtier fuel still widely used in the Southeast, though regulators did not try to quantify these factors.

Several climate policy experts said that in terms of reducing carbon dioxide emissions, it is worthwhile to allow the Mountain Valley Pipeline in order to keep the Inflation Reduction Act intact.

In a closely divided Congress, compromise is essential, said David Axelrod, the Democratic strategist who helped Barack Obama win the White House. "The question is whether the steps forward you take are greater than whatever steps back you have to take in order to make these deals work," he said. "And Biden is making those calculations."

And by giving Mr. Manchin a win to trumpet to his constituents, Democrats could hope to keep the West Virginia Senate seat, "which will have far more benefits to long-term climate policies and politics," Paul Bledsoe, a former climate aide in the Clinton administration, wrote in an email.

Mr. Axelrod said he did not think Mr. Biden would lose the support of climate voters once the race for the presidency was clearly defined.

"The question at the end of the day is, not what people are feeling now, but what judgments they'll make in the fall of 2024," Mr. Axelrod said. "But the choice is likely to be so stark and important for the climate movement that's it's probably a good bet that people will be highly motivated."

Student Loans Set to Resume Under Terms Of Debt Deal

By MICHAEL D. SHEAR

WASHINGTON — For millions of Americans with federal student loan debt, the payment holiday is about to end.

Legislation to raise the debt ceiling and cut spending includes a provision that would require borrowers to begin repaying their loans again by the end of the summer after a yearslong pause imposed during the coronavirus pandemic.

President Biden had already warned that the pause would end around the same time, but the legislation, if it passes in the coming days, would prevent him from issuing another last-minute extension, as he has already done several times.

The end of the pause will affect millions of Americans who have taken out federal student loans to pay for college. Across the United States, 45 million people owe $1.6 trillion for such loans — more than Americans owe for any kind of consumer debt other than mortgages.

The economic impact of the pandemic has faded since President Donald J. Trump first paused student loan payments in March 2020. Many Americans lost their jobs at the outset of the public health crisis, undercutting their ability to repay their loans on time. The number of jobs in the United States now exceeds prepandemic levels.

Promoting the debt ceiling legislation over the weekend, Speaker Kevin McCarthy said on "Fox News Sunday" that it would end the pause on student loan payments "within 60 days of this being signed."

In fact, the legislation would follow the same timeline that the Biden administration had previously outlined, ending the pause on payments on Aug. 30 at the latest.

A spokesman for Mr. McCarthy did not respond to an email seeking comment.

For millions of Americans, payments have been paused since March 2020.

Even with the pause ending, some borrowers may still see some relief if the Supreme Court allows Mr. Biden to move forward with a plan to forgive up to $20,000 in debt for some people with outstanding balances.

Mr. Biden's plan would cancel $10,000 of federal student loan debt for those who make under $125,000 a year. People who received Pell grants for low-income families could qualify for an additional $10,000 in debt cancellation.

But the plan was challenged in court as an illegal use of executive authority, and during oral arguments in February, several justices appeared skeptical of the program. A ruling from the court could come at any time but is expected next month.

White House officials have said repeatedly that they are confident in the legality of the president's plan. But the debate about the plan, and the broader issue of student loans, has been fierce in Congress.

Republicans have vowed to block the president's plan if the courts do not. But they have so far failed to make good on that promise, despite repeated attempts.

Last month, House Republicans passed a bill to raise the debt ceiling that would have blocked the student debt cancellation plan and ended the temporary pause on payments. That bill was shelved after negotiations began with the White House on the debt ceiling and spending cuts.

Last week, the House passed a resolution that would use the Congressional Review Act to overturn the president's debt cancellation plan. But the Senate has not taken up the measure, and Mr. Biden has said he would veto it.

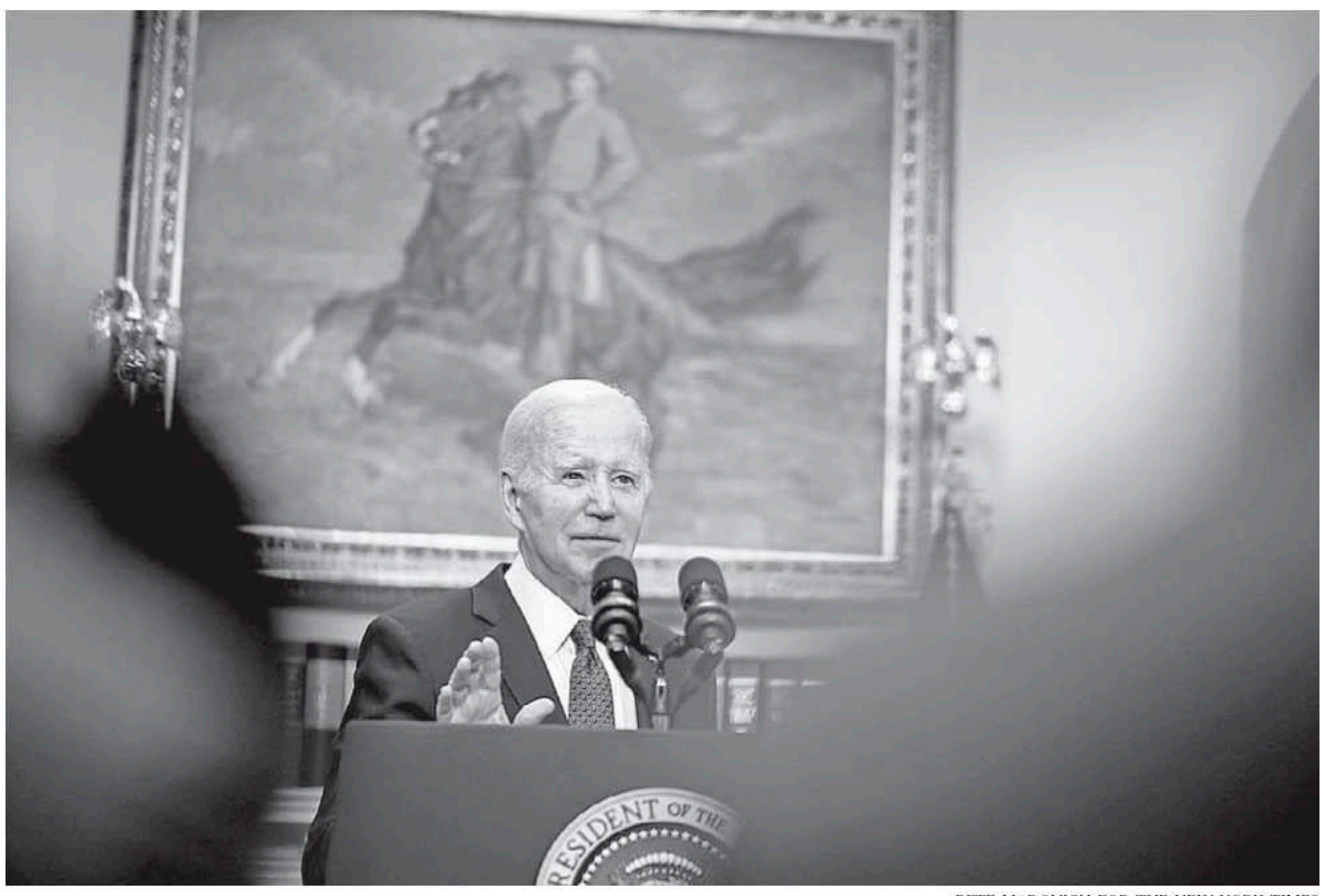
Instead, the compromise debt ceiling legislation now under consideration by lawmakers only requires ending the pause on payments — a move that the president had already said he would make. It would not block the debt cancellation plan.

In addition, White House officials said the legislation would not deny the Biden administration the ability to pause student loan payments during a future emergency, as Republicans had sought to do.

A spokesman for the White House said the president was pleased that Republicans had failed to block his debt cancellation plan in the debt ceiling legislation.

"House Republicans weren't able to take away a single penny of relief for the 40 million eligible borrowers, most of whom make less than $75,000 a year," the spokesman, Abdullah Hasan, said. "The administration announced back in November that the current student loan payment pause would end this summer — this agreement makes no changes to that plan."

Unanswered Question: Could the 14th Amendment Defuse Debt Fights?



PETE MAROVICH FOR THE NEW YORK TIMES

President Biden decided against challenging the constitutionality of the debt limit, but suggested that he might try invoking the 14th Amendment in the future. "That's another day," he said.

By ALAN RAPPEPORT

WASHINGTON — The agreement President Biden struck with House Republicans to raise the debt limit aims to avert a catastrophic default on the nation's debt. But the brinkmanship that brought the United States within days of being unable to pay its bills has renewed calls for the Biden administration to stop the debt ceiling from continuing to be a political tool.

After declaring this year that he would not negotiate spending cuts in exchange for raising the debt limit, Mr. Biden did exactly that. The deal includes spending caps and scales back some of the president's policy priorities in exchange for suspending the debt limit for two years.

The White House was ready to test a legal theory before the deal.

The bill, which the House is expected to bring to a vote on Wednesday, has reopened the door to the debt limit being a perpetual point of leverage that allows the party in the minority — in this case, the Republicans — to use the borrowing cap to extract legislative concessions.

That has raised questions about whether there is a way to preclude another episode like this one — by abolishing the debt ceiling or using the 14th Amendment to render the statutory limit unconstitutional.

Mr. Biden opted against challenging the constitutionality of the debt limit this time around but suggested last week that he had the authority to do so and hinted that he might try to use it in the future.

The president said on Sunday that any discussion about whether to invoke the 14th Amendment was not imminent. "That's another day," he said.

Invoking the 14th Amendment has been floated as a potential solution to avoiding future debt limit fights because it includes a clause stating that "the validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned."

Some legal scholars say that clause overrides the statutory borrowing limit, which is set by Congress and can be lifted or suspended only with lawmaker approval.

The Biden administration has been studying whether it could use the 14th Amendment to circumvent Congress on the basis that it would be a violation of the law for the federal government not to pay its bills on time.

When and how Mr. Biden might try to carry out that legal test could affect how his legislative agenda holds up in a potential second term and how future presidents navigate budget negotiations when a party in the minority appears willing to risk a default.

The Justice Department signaled this week that the Biden administration preferred to keep its legal thinking on the matter private.

This month, the National Association of Government Employees union filed a lawsuit in a district court in Boston challenging the constitutionality of the debt limit statute and seeking to prevent the federal government from suspending certain operations if the debt limit were breached.

A federal judge had asked the Justice Department to respond to the lawsuit by Tuesday and explain in writing its position about whether the 14th Amendment required the president to keep borrowing to pay bills regardless of the statutory debt limit.

However, after the agreement was reached, department lawyers asked for a hearing that was scheduled for Wednesday to be postponed.

The judge, Richard Stearns, agreed to postpone it indefinitely and allowed the Biden administration to avoid laying out its legal rationale.

That move disappointed some progressive groups that have been pushing the administration to invoke the 14th Amendment to defuse the debt limit fight.

"The question of if and how the debt ceiling can be legally applied is pertinent not only to the current mess, but also to the one a Biden-McCarthy deal has set up for early 2025," said Jeff Hauser, the director of the liberal Revolving Door Project.

On Tuesday, Representative Jason Smith, Republican of Missouri and the chairman of the House Ways and Means Committee, made clear that his party planned to continue using the borrowing limit as leverage. "The debt ceiling ought to be the mechanism that forces parties to the table to negotiate ways to address Washington's spending habit," he said.

Despite studying the merits of invoking the 14th Amendment, Biden administration officials have expressed concerns that using it to circumvent Congress would set up a legal fight that could sow uncertainty, rattling financial markets and the economy, even if the federal government appeared to be paying its debts.

Shalanda Young, the White House budget director, demurred on Tuesday when asked about doing away with the debt limit and said that her only focus was getting the bill to Mr. Biden's desk and avoiding a default.

A White House spokesman declined to comment on how Mr. Biden might test the 14th Amendment question in the aftermath of the debt limit fight.

Laurence H. Tribe, an emeritus law professor at Harvard University, said that it was too late for Mr. Biden to seek guidance from the courts even if the administration issued a legal opinion through the Office of Legal Counsel arguing that the debt limit was not constitutional.

"I don't think there is a judicial solution that lies ahead because the only time that courts can get involved is when it's a live issue," Mr. Tribe said.

Mr. Tribe, who has argued Mr. Biden should tell Congress that the United States will pay all its bills as they come due even if the Treasury Department must borrow more than Congress has said it can, suggested that it was now up to lawmakers to act to iron out the contradictions between the fact that they authorize spending and then set a limit on how much the government can borrow to pay for those expenses.

Although this debt limit standoff appears to be resolved, future fights are lurking. The agreement suspends the borrowing cap only until January 2025, leaving open the possibility that Mr. Biden will have to face the threat of default early if he wins a second term.

For that reason, the government employees union intends to pursue its case and give the courts an opportunity to consider its merits

"This weekend's announcement of a deal on the debt ceiling does not resolve our concerns for our federal employee members, or our federal lawsuit," said David Holway, the union's president. "If the deal becomes law ahead of the June 5 deadline, Congress will have only kicked the can down the road, setting us up for another crisis in the near future."

He added, "As long as the debt limit statute remains on the books as is, this game of political football will continue to threaten our members and the country."

While the Debt Bill Advances to the House Floor, a Revolt Brews Within the G.O.P.

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HAIYUN JIANG FOR THE NEW YORK TIMES

Representative Andy Biggs spoke out Tuesday against the debt bill agreement alongside other members of the ultraconservative House Freedom Caucus.

another ultraconservative member of the panel, broke with their party to oppose allowing the plan to be considered, but a third right-wing Republican on the committee, Representative Thomas Massie of Kentucky, voted to move it to the floor despite some misgivings.

It was a boost to Speaker Kevin McCarthy's effort to push through the agreement that he hammered out with President Biden in days of difficult talks, and which must pass the House and clear the Senate by Monday to be enacted in time to avert a default.

The compromise has drawn the ire of right-wing Republicans, leaving open the possibility that its passage could jeopardize Mr. McCarthy's standing on Capitol Hill, where any one lawmaker has the power to call a snap vote to oust him thanks to a rule Mr. McCarthy agreed to while he was grasping for support from the far right to be elected speaker in January.

Some prominent conservatives said a challenge to his leadership now would be premature, but one member of the ultraconservative Freedom Caucus, Representative Dan Bishop of North Carolina, said on Tuesday that he considered the debt and spending deal grounds for ousting Mr. McCarthy from his post.

"I'm fed up with the lies. I'm fed up with the lack of courage, the cowardice," Mr. Bishop said, adding later of Mr. McCarthy's negotiations on the debt limit bill, "Nobody could have done a worse job."

Despite the outcry, Mr. McCarthy continued to express optimism that the legislation would pass, shrugging off the criticism and dismissing any concern for his own survival with a terse "no" during brief comments at the Capitol.

"I'm confident we'll pass the bill," Mr. McCarthy told reporters. Ticking off what he described as major savings in the package, he added: "If people are against saving all that money, or work reforms in welfare reform — I can't do anything about that."

With some Republicans in an uproar as more details of the compromise trickled out, the Biden administration was treading carefully, hailing the agreement as a good one while emphasizing that neither side emerged with an overwhelming victory over the other.

"We are in divided government," said Shalanda Young, the White House budget director who was a chief negotiator of the package. "This is what happens in divided government. They get to have an opinion and we get to have an opinion, and all things equal, I think this compromise agreement is reasonable for both sides."

Annie Karni, Jim Tankersley and Michael D. Shear contributed reporting.

Even as Mr. McCarthy battled to line up support, new details of the deal were emerging that threatened to further undermine G.O.P. support. The Congressional Budget Office estimated on Tuesday that the package would reduce the accumulation of debt by about $1.5 trillion over the course of a decade, largely by cutting and capping certain discretionary spending for two years. It also said a series of changes in work requirements for food stamp eligibility — tightening them for some adults, but loosening them for others including veterans — would actually increase federal spending on the program by $2 billion.

McCarthy faces scathing criticism from the far right.

While Republicans demanded stricter work requirements be a part of the compromise, the White House bargained to lessen the impact, and the budget office estimated that overall, the deal would increase the ranks of the program, making an additional 78,000 people eligible for nutrition assistance.

Even after avoiding a blockade by his own party in the Rules Committee, Mr. McCarthy was still facing a steep challenge in rounding up the 218 votes needed to pass the plan on the floor. Republican opposition was coming from beyond the most conservative wing of the party, including from some members seen as closely aligned with the speaker.

"The concessions made by the speaker in his negotiations with President Biden fall far short of my expectations and the expectations of my friends and neighbors in Congressional District 38," Representative Wesley Hunt, a first-term Republican from Texas who backed Mr. McCarthy in the speaker's fight, wrote on Twitter on Tuesday.

The backlash to the plan from the right appeared to be fueled in part by mounting public opposition from conservative advocacy groups with strong ties to Republican lawmakers, including the Heritage Foundation, the Club for Growth and FreedomWorks. The groups were promising to include the vote in their ratings of lawmakers, effectively threatening to downgrade anyone who supported it.

"The legislation does not meet the moment, and I urge House Republicans to reconsider their support and take a stand to stop reckless spending," said Adam Brandon, the president of FreedomWorks.

With Republicans experiencing ample defections, Representative Hakeem Jeffries, the New York Democrat and minority leader, warned that they would still have to deliver a significant number of votes in support.

"Initially we heard that 95 percent of the House Republican conference would support the agreement," said Mr. Jeffries, alluding to a comment Mr. McCarthy made after briefing his rank and file about the deal. "That doesn't appear to be the case. But what we are also committed to making sure occurs is that the House Republicans keep their promise to produce at least 150 votes."

As for where Democrats stood, Representative Pramila Jayapal, Democrat of Washington and chairwoman of the Congressional Progressive Caucus, said the group was polling its members to decide whether to take an official position on the bill. She said the legislation included provisions that she and her members were extremely concerned about, including restrictions on nutritional assistance programs and the greenlighting of the Mountain Valley Pipeline, but did not vow to oppose it.

The bill was finalized on Sunday after Mr. Biden and Mr. McCarthy sealed their deal, and aides rushed to draft it into legislation that will have to be considered swiftly to avoid a default as soon as June 5, when Treasury Secretary Janet L. Yellen has estimated the federal government will run out of cash to pay its bills without action by Congress.

The rules panel was just one of the hurdles the legislation will have to clear in what is likely to be a nearly weeklong push to passage before next Monday.

With dozens of Republicans declaring their opposition, the bill will need a combination of Republican and Democratic votes to pass the House. It would then head to the Senate, where conservative Republicans are also unhappy with the framework and can at minimum slow its passage with procedural tactics.

"Conservatives have been sold out once again!" Senator Rand Paul, a Kentucky Republican who has been known to throw up procedural obstacles to legislation in the past, declared on Twitter.

As senators sifted through the legislation, there was growing unease among Republican senators that the level of Pentagon spending was too low, according to an aide who insisted on anonymity to discuss private conversations, and who said the reservations did not appear to be enough to derail the bill with a default looming.

Mr. Biden sought to relieve concerns about military spending on Monday, telling reporters at the White House that "obviously if there's any existential need for additional funding, I have no doubt we'll be able to get it."

He remained confident the legislation would be approved before a default.

"There is no reason it shouldn't get done by the 5th," he said. "I'm confident that we'll get a vote in both houses and we'll see."

But the outcry from the House conservatives was looming as a threat to the package if it stirred other factions among House Republicans to join in.

"Absolutely and completely unacceptable," said Representative Scott Perry, Republican of Pennsylvania and chairman of the Freedom Caucus, in describing the legislation. "Trillions and trillions of dollars in debt for crumbs. For a pittance."

DeSantis, Wading Into the Debt-Ceiling Fight, Puts Pressure on Trump

By JONATHAN WEISMAN

The decision by Gov. Ron DeSantis of Florida to oppose the debt-ceiling agreement struck by Speaker Kevin McCarthy and President Biden injected presidential politics into the fraught effort to raise the government's borrowing limit, further dividing the Republican Party and pressuring other White House hopefuls to join the fight.

"Our country was careening toward bankruptcy" before the deal was struck, Mr. DeSantis said on "Fox and Friends" on Monday, "and after this deal, our country will still be careening toward bankruptcy."

Congress has just days to raise the borrowing limit before the government goes into default on its debt. That would most likely set off a global financial crisis, which would call into question the full faith and credit of what has been the world's safest investment (U.S. Treasury bonds) and potentially start a recession. Treasury Secretary Janet L. Yellen has predicted that the "extraordinary measures" she has used to pay the government's obligations will be depleted by June 5.

Mr. DeSantis's broadside comes as Mr. McCarthy is trying to round up Republican votes to approve the deal this week. The first test will be Tuesday, when the House committee that sets the parameters and instructions for floor debate is set to report out the rule for the debt deal. The deal sets aside the statutory borrowing limit for two years, ensuring the issue will not re-emerge before the next presidential election, while imposing some caps on spending and some additional work requirements for food stamp recipients.

The former president so far has remained quiet on the deal.

But those concessions to the G.O.P. are minuscule compared with the wholesale rollbacks of Biden administration policy envisioned in a debt ceiling bill passed by the House.

A few hard-right conservatives have already come out against the deal, and on Tuesday, a more moderate Republican, Representative Nancy Mace of South Carolina, announced that she, too, was a "no," a bad sign for the deal. Democratic votes will be needed to pass it, but the work requirements and a green light in the deal for a West Virginia natural gas pipeline are likely to turn liberal Democrats against it.

That makes Mr. DeSantis's opposition more significant. So far, former President Donald J. Trump, the front-runner for the Republican presidential nomination, has stayed quiet. Mr. Trump has been kept abreast of the negotiations by Mr. McCarthy, whom the former president has called "my Kevin" and has kept as a close ally.

But as Mr. DeSantis, his closest competitor, tries to outflank him on the right, Mr. Trump will face pressure to follow the Florida governor's lead, especially if far-right Republicans make good on threats to end Mr. McCarthy's speakership over the deal. One of Mr. Trump's loudest surrogates in the House, Representative Byron Donalds, Republican of Florida, has already come out against it.

"After I heard about the debt ceiling deal, I was a NO," he wrote on Twitter on Monday. "After reading the debt ceiling deal, I am absolutely NO!!"

But beyond Mr. DeSantis, only the entrepreneur and writer Vivek Ramaswamy has come out against the deal. Other Republican presidential contenders have stayed quiet, holding their fire with the votes in Congress just days away. Senator Tim Scott, the South Carolina Republican who entered the race last week, will have to vote on the deal if it clears the House, which could happen as soon as Wednesday, but he has not divulged his position.

Mr. Trump's rise in 2015 and 2016 ushered out an era when Republicans at least spoke of fiscal responsibility. He put an end to the party's efforts to overhaul Social Security and Medicare to control the programs' rising costs. His tax cuts in 2017 sent deficits skyward. They were accompanied by increases in military spending, then huge expenditures on coronavirus relief.

Deficits rose every year of the Trump presidency, from the $590 billion he inherited in the 2016 fiscal year to $670 billion in 2017, $780 billion in 2018, $980 billion the next year, then a staggering $3.13 trillion in the pandemic year of 2020. In all, budget forecasters say, Mr. Trump added $7.8 trillion in deficit spending over 10 years through legislation and executive orders during his four years in office.

That has given his rivals an opening that so far, only Mr. DeSantis has taken.

DeSantis Rallies in Iowa, Hoping It Slingshots Him Past Trump in 2024 Race

By SHANE GOLDMACHER and NICHOLAS NEHAMAS

CLIVE, Iowa — Gov. Ron DeSantis of Florida kicked off his presidential campaign in Iowa on Tuesday with a sweeping denunciation of the "elites" that he said dominated American institutions, pitching himself as an unrepentant fighter who could reverse a tide of progressivism in boardrooms, the government and the military.

"We must choose a path that will lead to a revival of American greatness," Mr. DeSantis told supporters at an evangelical church in the suburbs of Des Moines.

Regrouping after a widely mocked start to a campaign.

In a strident speech, he painted a dark picture of America, saying he would be a salve to a "malignant ideology" that was taking hold across the nation. He described children facing "indoctrination." He mocked transgender athletes, denounced the "woke Olympics" of diversity programs and reveled in his battle with Disney.

"It is time we impose our will on Washington, D.C.," Mr. DeSantis said. "And you can't do any of this if you don't win."

The stop was the first in a three-state, 12-city tour that Mr. DeSantis's team hopes can begin the arduous process of chipping away at former President Donald J. Trump's advantage in early polls of the 2024 Republican primary race.

Mr. DeSantis did not mention Mr. Trump by name in his speech. But he left little doubt about some of the areas in which he planned to draw contrasts with the former president in the coming months, including how each leader handled the beginning of the pandemic more than three years ago and his ability to win in 2024.

Later, in a news conference, he sharpened the contrast.

"The former president is now attacking me saying that Cuomo did better handling Covid than Florida did," Mr. DeSantis said, referring to former Gov. Andrew M. Cuomo of New York, a Democrat. "I can tell you this. I could count the number of Republicans in this country on my hands that would rather have lived in New York under Cuomo than lived in Florida in our freedom zone."

"Hell, his whole family moved to Florida under my governorship, are you kidding me?" Mr. DeSantis added later of Mr. Trump.

The DeSantis campaign's decision to hold its first in-person event at Eternity Church in Clive, a suburb of Des Moines, signaled the enduring importance of evangelical Christian voters in Iowa's Republican caucuses, which begin the nominating process.

Before the event, Mr. DeSantis and his wife, Casey DeSantis, had met privately with about 15 local pastors for a private prayer over his family and candidacy, according to a campaign aide.

"As a pastor, it tells me they value the Christian vote," Jesse Newman, the pastor of Eternity Church, said in an interview, referring to the DeSantis team's decision to begin campaigning at the church. In his own brief address to the crowd, Mr. Newman prayed for Mr. DeSantis's family and urged the Lord's intervention in the "fight against globalism and socialism."

Mr. DeSantis was introduced by the state's Republican governor, Kim Reynolds, who joked that her state was "the Florida of the north" for the similarly conservative agenda she has pushed.

CHARLIE NEIBERGALL/ASSOCIATED PRESS

"It is time we impose our will on Washington, D.C.," Gov. Ron DeSantis of Florida told a crowd at an event in Clive, Iowa, on Tuesday.

"They're going to be here a lot," Ms. Reynolds said of the DeSantis family.

Mr. DeSantis entered the stage in a blazer, a blue button-down shirt and no tie, alongside Ms. DeSantis, who also addressed the crowd in a demonstration of the central role she is expected to play in the campaign. The pastor said the jam-packed auditorium seated 600, and campaign officials estimated the spillover crowd that filled the lobby and elsewhere on the complex was more than 1,000.

In his speech, Mr. DeSantis made the argument that he had fought the left in Florida and won — both electorally and on a raft of policies that have been enacted during his tenure.

He spoke about signing a six-week abortion ban, pressing for the death penalty for those convicted of sexually abusing children, and "even sending illegal aliens to Martha's Vineyard."

Mr. DeSantis injected more bits of his biography into his emerging stump speech than he did during his pre-candidacy. He invoked his mother's work as a nurse, his father's installation of Nielsen ratings boxes and his own minimum-wage jobs.

"I was given nothing," Mr. DeSantis said.

His cadence at times felt rushed. He pushed so quickly through his speech that sections were swallowed by the crowd's applause, which did not slow him.

Mr. Trump, who has focused on Mr. DeSantis more than on all of his other rivals, is also set to visit Iowa on Wednesday and Thursday, meeting with local Republicans and faith leaders and holding a Fox News town hall event also in Clive.

Mr. DeSantis has positioned himself to the right of Mr. Trump on some key issues, including abortion, as part of an effort to woo right-wing voters. In his news conference, he accused Mr. Trump of shifting to the left.

"He's not an orator, I don't think," said Matt Wells, a conservative activist who drove 120 miles from Washington, Iowa, to see Mr. DeSantis. "But you give him a question about policy and he'll run with it. I have wanted someone for so long who, when they're asked about policy, they have an answer for it right there."

Kenneth Wayne, a retired physician from Clive, cited Mr. DeSantis's leadership skills, including his military service, as a selling point. He said he had read Mr. DeSantis's book cover-to-cover.

"I feel that this is a fellow who knows his own mind, who is not going to blow with the wind," said Mr. Wayne, who was wearing a Vietnam veteran hat. "He's of a solid conservative bent."

Mr. DeSantis has sought to differentiate himself from Mr. Trump on social issues, pointing to their stances on abortion and the governor's clash with Disney, among other issues, as proof that he is the more conservative candidate in the race and that Mr. Trump has moved to the center.

"There are a lot of voters that just aren't going to ever vote for him," Mr. DeSantis told reporters on Tuesday. "We just have to accept that."

Shane Goldmacher contributed reporting.

At Trial, Reliving Horror In a Pittsburgh Synagogue

By CAMPBELL ROBERTSON

PITTSBURGH — The federal trial of the gunman who killed 11 worshipers at a Pittsburgh synagogue, the deadliest antisemitic attack in the nation's history, began on Tuesday with a minute-by-minute description of how the massacre unfolded on a chilly October morning in 2018.

Before a courtroom packed with spectators, including several who had been shot in the synagogue that day, federal prosecutors detailed when, where and how each victim was killed.

Harrowing 911 calls were played, with the courtroom echoing with the pleas for help from Bernice Simon, 84, who was shot along with her husband in the same sanctuary where they were married more than 60 years earlier. And Jeffrey Myers, the rabbi of the Tree of Life congregation, recounted whispering what he thought would be his final prayers in a small bathroom next to the choir loft as he heard gunfire and screaming below.

The government is seeking the death penalty for the gunman, Robert Bowers, and the trial is essentially a monthslong hearing to decide whether he should face execution.

The facts surrounding the shooting are mostly undisputed. Judy Clarke, one of the lawyers representing Mr. Bowers, 50, said there was "no disagreement" that he killed 11 congregants that October morning, adding that he had caused "extraordinary harm to many, many people."

But before the jury can consider the death penalty, the panel must decide whether Mr. Bowers is guilty. He is facing 63 federal charges, including 11 counts of hate crimes resulting in death and 11 counts of obstruction of free exercise of religious beliefs resulting in death. This stage of the trial is likely to be dominated by the government's case, with prosecutors describing how Mr. Bowers carried out his rampage and detailing the hate that they argue fueled it.

Mr. Bowers's lawyers have offered to resolve the case with guilty pleas on all counts, in exchange for a sentence of life in prison without the possibility of release, but federal prosecutors have rejected these offers.

If Mr. Bowers is found guilty, proceedings will follow to determine whether he should be sentenced to death. That is when his lawyers are expected to make their case, arguing that even if he did commit the murders, Mr. Bowers does not deserve to be put to death.

Soo C. Song, one of the prosecutors, began her opening statement by describing how each of the victims arrived at the synagogue on Oct. 27, 2018, most of them older people "in the sanctuary and refuge of their holy place." The 22 people at the synagogue that morning, half of whom would be killed, were from three different congregations: Tree of Life, New Light and Dor Hadash. The Torah text, Ms. Song said, was on the imperative to welcome the stranger.

Ms. Song then spoke of Mr. Bowers, first describing his flurry of hate-filled postings on social media and then explaining how, at the moment that the worshipers were gathering for Sabbath services, he was "making his own preparations to destroy, to kill and to defile."

Jon Moss contributed reporting.

JESSIE WARDARSKI/ASSOCIATED PRESS

Rabbi Jeffrey Myers of the Tree of Life Synagogue, third from right, at a Pittsburgh courthouse on Tuesday. Members of his congregation were killed in the nation's deadliest antisemitic attack.

She described how Mr. Bowers shot out the synagogue's front door and then, armed with a semiautomatic rifle and three handguns, "moved methodically through the synagogue to find the Jews he hated so much and to shoot them and kill them." She emphasized that he did not fire in a spray of bullets, killing erratically, but aimed at his victims and shot six of them directly in the head, two at close range.

Survivors of the shooting who were in the courtroom on Tuesday embraced each other during breaks in the testimony.

Ms. Song, the chief of the criminal division for the U.S. attorney's office in Western Pennsylvania, warned the jury that prosecutors would present some horrific evidence of the extent of the violence. She said that such details were the only way to show "the depths of the defendant's malice and his hate."

After Ms. Song spoke for roughly 40 minutes, Ms. Clarke, a lawyer with a long record of defending people accused of capital crimes, delivered a shorter opening statement. She called the attack a senseless tragedy and acknowledged that Mr. Bowers had made "reprehensible" comments online.

But she said that unlike a trial in state court, which might turn on a straightforward question of whether a defendant had committed murder, many of the charges in the federal trial required a determination of motive. "The federal hate crimes statue is something you'll have to examine," she told the jury.

While Mr. Bowers had told the police at the scene of the shooting that he carried out the killings because he believed Jews were "killing our people" in helping welcome refugees to the country, Ms. Clarke argued that such statements were signs of his "irrational motive and his misguided intent."

Mr. Bowers's defense lawyers have said in motions that he suffers from schizophrenia and other mental illnesses. But in pretrial rulings, the judge, Robert J. Colville of the Federal District Court in Pittsburgh, limited what could be discussed in the guilt phase of the trial.

The man who killed 11 people in 2018 could face execution.

"You won't get a full picture of Mr. Bowers's background in this phase of the case," Ms. Clarke told the jury.

Mr. Bowers's lawyers did not offer objections on Tuesday nor did they cross-examine any witnesses, including Rabbi Myers, whose testimony brought the day to a close.

He had been questioned by the government for about two hours about the essentials of the Jewish faith, the building's layout and how a Saturday morning Sabbath service would normally unfold.

But in the last hour of the day, prosecutors played the 911 call that the rabbi made from his hiding place amid the shooting. There was a long pause at one point in the call. The prosecutor asked Rabbi Myers what he was doing at that moment.

"I was praying," the rabbi said, halting for long moments between his answers. "I expected to die."

He debated hanging up and calling his wife, he said, but decided he did not want that moment to be the last she heard from him.

"I thought about the history of my people," the rabbi said, wiping tears from his eyes. "How we'd been persecuted and hunted and slaughtered for centuries. And how all of them must have felt at the moments before their death. And what did they do."

Hiding in the bathroom, he recited the final confessional, he said, a prayer for the end of one's life. "I was prepared to meet my fate."

After Years of Abuse, Latest Police Killing Was Last Straw

New Jersey Takes Over A Troubled Department In Its Third-Largest City

By CHRISTOPHER MAAG
Photographs by BRYAN ANSELM

PATERSON, N.J. — When police officers in Paterson, N.J., responded to a 911 call in March from a man in the midst of a mental health crisis, they found someone they knew well.

The man, Najee Seabrooks, had worked for years to reverse a spike in shootings in Paterson, the state's third largest city, by building friendships with gunshot victims and persuading them not to retaliate against their attackers.

But now, Mr. Seabrooks, 31, had barricaded himself in a bathroom. The police arrived in riot gear and trained their guns on the bathroom door. After a four-hour standoff, Mr. Seabrooks emerged with a knife. The police shot and killed him. Soon the city erupted — not for the first time — in bitter protests.

Police officers in Paterson have robbed, beaten, shot and killed scores of Black men, earning the department a reputation as one of the most troubled in New Jersey. Between 2018 and 2020, the city's Black residents, who make up about a quarter of the population, were the subject of 57 percent of the police department's 600-plus uses of force, according to an investigation last year by the Police Executive Research Forum, a national association of police leaders.

A police officer in Paterson was found guilty of dealing drugs from a police cruiser while in uniform. Other officers created a "robbery squad" to beat and rob people. The police have shot five people since 2019, killing four, and two more residents have died in police custody, according to state records, giving Paterson the highest number of police-involved deaths of any department in New Jersey, the news organization NJ Spotlight found in March.

Stories of police abuse in Paterson have become familiar to some New Jersey residents. But the state's response to Mr. Seabrooks's death was unique: Three weeks later, Matthew J. Platkin, New Jersey's attorney general, took direct control of the police department.

The takeover, Mr. Platkin said in an interview, was a result of "high-profile misconduct by the Paterson Police Department, including a number of criminal offenses" committed by police officers. "I couldn't go to sleep every night wondering what the next shoe to drop was going to be," he said.

No other state gives its attorney general the power to take control of a local police department, said James E. Tierney, a former attorney general of Maine who works with the National Association of Attorneys General to train lawyers new to the position. It is only the second time that a New Jersey attorney general has exercised that power, and it is the first takeover precipitated by accusations of civil rights abuses.

"It's a very dramatic thing to do," Mr. Tierney said.

The takeover represents a bold attempt to answer a quandary that has long confounded cities and states across the country and boiled over in 2014, when police officers in Ferguson, Mo., shot and killed Michael Brown: how to fix deep-rooted cultural problems and repair trust in a police department with a history of abuse, particularly in Black and Latino communities.

Mr. Platkin's move will test whether progressive ideas about law enforcement, many of which have been adopted in other cities wrestling with the same issues, can both restore faith in the police department and tamp down crime.

"We're taking an enlightened approach to law enforcement in ways that are evidence-based. And it's working," Mr. Platkin said. "There isn't much evidence for the alternative."

Federal civil rights investigators and officials in other states are watching Mr. Platkin's actions in Paterson closely, said Alex del Carmen, the court-appointed special master overseeing the Puerto Rico Police Department, which has operated under a federal consent decree since an investigation in 2011 found officers used excessive force and discriminated against racial minorities.

If the takeover succeeds, it could become a national model, Mr. del Carmen said. More attorneys general may seek similar powers from their state legislatures, and the U.S. Department of Justice's civil rights division might find new allies in overhauling troubled police departments.

But if it fails, it could provide ammunition to critics who favor a tough-on-crime approach to policing.

Traditionally, decisions about local police matters were left to mayors and police chiefs. But the takeover in Paterson comes as officials at all levels of government move to assert control over local public safety issues that increasingly shape state and national elections.

"Public safety has become so important in the minds of average citizens that state officials don't trust local officials to govern on this issue effectively," said Andrew Sidman, a political scientist at John Jay College of Criminal Justice.

Many Democrats, like Mr. Platkin, have focused on police abuses and discriminatory enforcement, while state and federal Republican interventions in local police matters focus on empowering police officers at a time when crime rates have decreased only moderately since a sharp uptick during the pandemic.

In Jackson, Miss., the Republican supermajority in the state House of Representatives passed a bill, signed into law in April, giving the state-controlled Capitol Police jurisdiction over the city, where the local government is controlled by Democrats. Every Republican in the Mississippi House is white, and Jackson is 83 percent Black, which led some critics to describe the move as racist. Republicans countered that the goal is to make the city safer.

In Missouri, Republicans in the State Legislature attempted to place the St. Louis Police Department under state control, citing an increase in crime in the city. They also moved to replace the city's prosecutor, Kimberly Gardner, a Democrat whom Republicans viewed as soft on crime. The police takeover failed. But Ms. Gardner resigned, and Gov. Mike Parson chose a replacement.

And in Washington, D.C., Congress passed two bills this year overturning progressive changes to the district's criminal justice system. In March President Biden signed one of the bills, overriding revisions to the city's criminal code that reduced maximum penalties for some crimes.

New Jersey has attempted to overhaul problematic police departments in the past. When the attorney general's office took command of the police department in Camden, in 1998, during a crime wave, it was accompanied by curfews, increased surveillance and more officers on the street, said Jason Williams, a professor of justice studies at Montclair State University. In 2013, the then governor, Chris Christie, disbanded the Camden Police Department, breaking the police union's contract and replacing the force with nonunionized officers.

County prosecutors in New Jersey occasionally have responded to complaints about police departments by taking over the local agency's internal affairs unit, said Brian Higgins, formerly the chief of police in Bergen County, which borders Paterson.

"But in this case they jumped that first step and went right to the attorney general," said Mr. Higgins, an adjunct professor of public safety at John Jay College of Criminal Justice.

Intractable Problems

Founded 16 miles from Manhattan near one of the tallest waterfalls in the Northeast, Paterson became a wealthy industrial powerhouse before most of America had electricity. Many mills closed after World War II, and today Paterson is a diverse city of 156,000 where 62 percent of the residents are Hispanic, and 40 percent of children live in poverty.

Problems in Paterson can seem particularly intractable. The state board of education controlled the school district for 30 years. When the state relinquished its power, in 2021, board members apologized to the city's residents, calling the takeover a failure.

Many residents in Paterson hope Mr. Platkin can do better. They fear he cannot.

"The attorney general is law enforcement. Law enforcement killed our brother," said Quan Hargrove, 41, a friend of Mr. Seabrooks. "How do you repair that trust? That's a tall order."

For others, the attorney general did not go far enough: A month after Mr. Platkin's takeover, advocacy groups in New Jersey sent a letter to the Justice Department requesting a federal investigation into the police department.

The Justice Department oversees 28 investigations and court-approved agreements with law enforcement agencies around the country, according to a spokesman for the agency. These agreements include Newark, where the police department has operated under federal oversight since 2016.

"Now we need an independent monitor who is not aligned with anyone in New Jersey to have an independent view," said Zellie Thomas, lead organizer of Black Lives Matter Paterson.

Two Armed Standoffs

Almost two decades before Najee Seabrooks's death, another man found himself in an armed standoff with the Paterson police. The man shot four people in July 2006, before taking his wife and two children hostage.

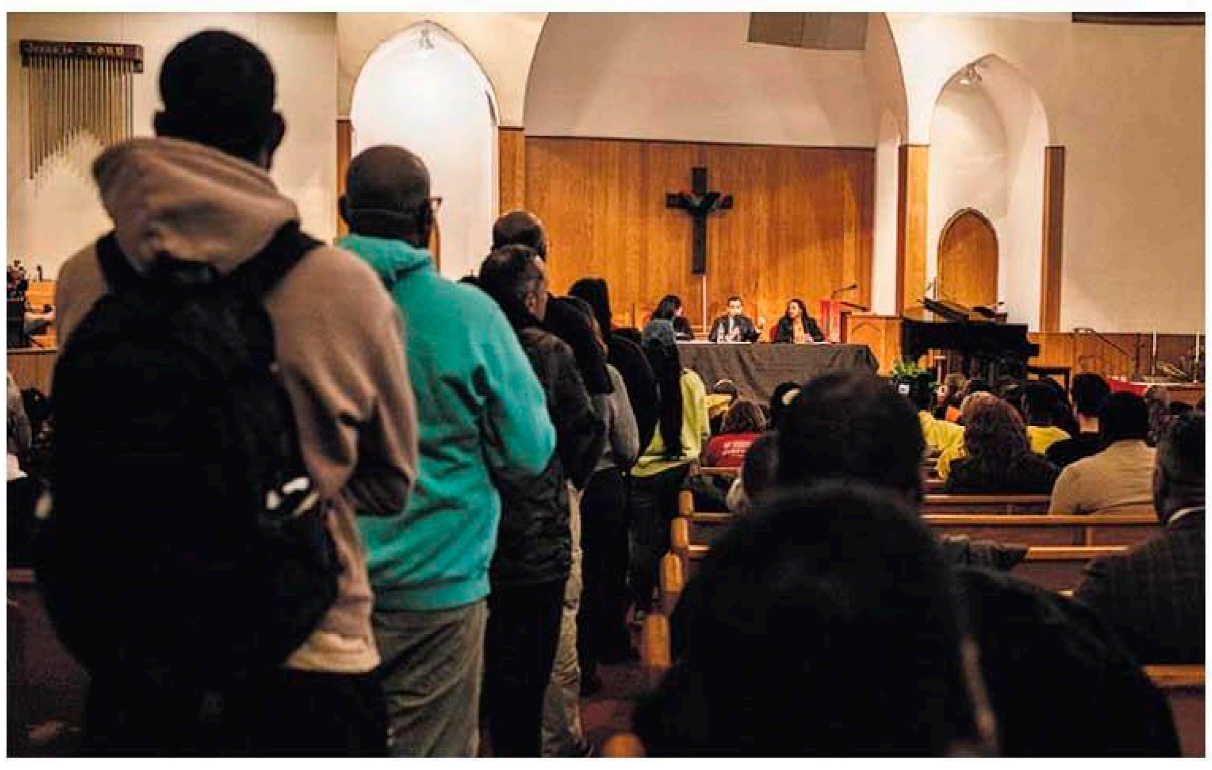
The man was Willie Seabrooks Jr. — Najee Seabrooks's father. The woman was Najee Seabrooks's stepmother; the boys were his younger stepbrothers.

After a four-hour standoff, the elder Mr. Seabrooks surrendered. He was eventually sentenced to 45 years in state prison.

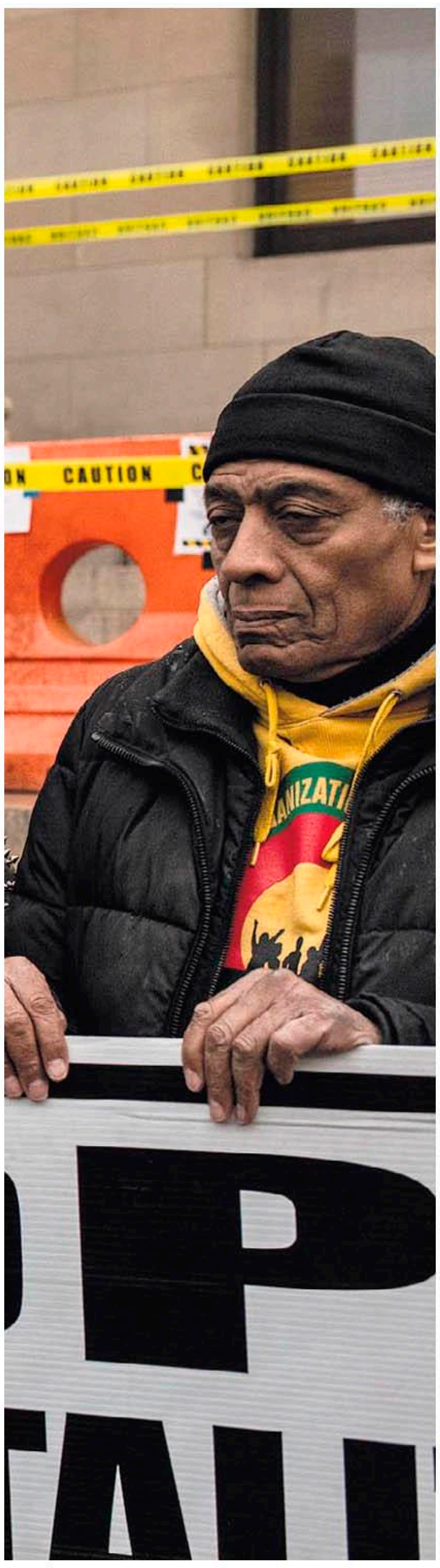
To the Seabrooks family's neighbors and friends, these different outcomes tell the story of a police department falling apart.

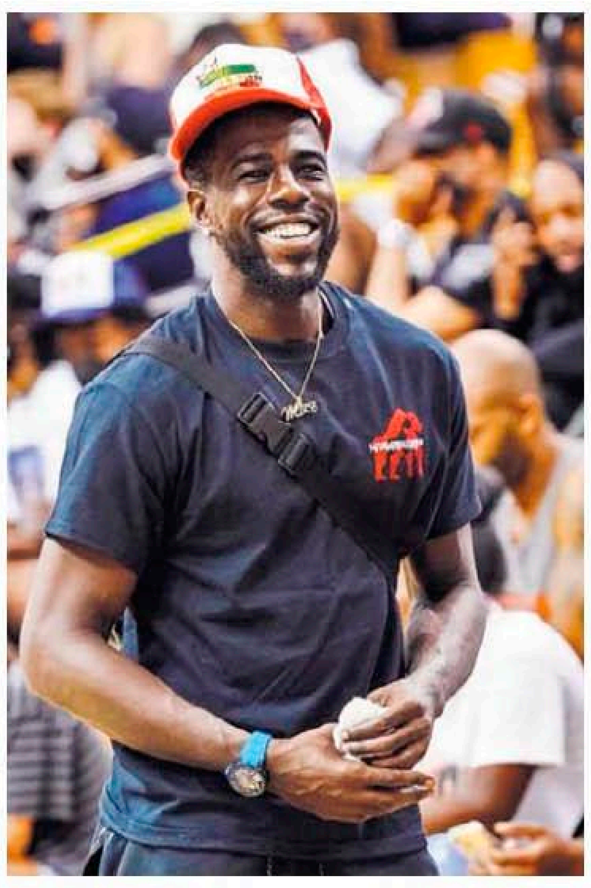
"His father shot people. He had a gun. He was holding people hostage. And yet he still got to keep his life," said Hafeeza Freeman, a friend of Najee Seabrooks. "There was no excuse for the police to shoot their guns when all Najee had was a knife."

The death of Najee Seabrooks is the latest in a string of episodes cited whenever Paterson residents discuss police misconduct. There was Ruben McAusland, a Paterson officer who pleaded guilty to selling heroin and cocaine from



Top left, Matthew J. Platkin, New Jersey's attorney general, picked Isa Abbassi, center, to run the Paterson Police Department. Mr. Abbassi is a New York police leader who handled relations on Staten Island after the death of Eric Garner in 2014. Right, Mr. Platkin. Left, Paterson residents waiting to speak to Mr. Platkin.





From far left: Melissa Carter, second from left, at a protest in Paterson, N.J., after her son, Najee Seabrooks, was killed by the police; brothers of Felix de Jesus, Giovanni, left, and Eric de Jesus, in Westside Park in Paterson last month; and Mr. Seabrooks in an undated photo.

439

Number of officers employed by the Paterson Police Department.

17.3

Number of homicides per 100,000 people, higher than Los Angeles or Compton, Calif.

his police cruiser while in uniform. There was Jameek Lowery, who died in police custody in 2019; Khalif Cooper, shot in the back while running from police in 2022; and Felix DeJesus, who was handcuffed in the back of a police vehicle on the evening of Feb. 2, 2022, and never seen again.

"We don't even have a problem with these two individual cops" who arrested Felix DeJesus, said Eric DeJesus, his brother. "The problem is leadership."

Police work anywhere can be difficult, but conditions in Paterson make it especially challenging. A fiscal crisis in 2011 forced the city to lay off a quarter of its officers, and the department never recovered, said Mayor Andre Sayegh. Today it employs P officers. The average officer in Paterson earns $76,300 a year, $24,500 less than the average statewide, according to NJ.com.

On the beat, many Paterson officers experience police work as an onslaught of dysfunction and violence. In a city of not quite 160,000 people, last year 101 people were shot, and 27 were murdered. Paterson's murder rate last year was higher than in Los Angeles or Compton, Calif., and more than three times as high as New York City's, according to a report by the Rochester Institute of Technology Public Safety Institute.

Jerry Speziale, director of the Paterson Police Department, and the presidents of Paterson's two police unions did not respond to calls and emails for comment.

A New York Leader

Mr. Platkin's choice to lead the Paterson police is Isa Abbassi, a 26-year member of the New York Police Department who was assigned to improve police relations with minority communities on Staten Island after officers there killed Eric Garner in 2014. Mr. Abbassi, who was most recently the Police Department's chief of strategic initiatives in New York, took charge in Paterson on May 9.

So far, Mr. Platkin's decisions in Paterson have been more modest than revolutionary. He retrained officers on the use of force, replaced the department's leadership and held public meetings where people shared stories of police misconduct. This feedback will form the basis of a "community-led approach" to policing, Mr. Platkin said.

The attorney general's office also is doubling down on programs that supplement or replace police officers with trained civilians on some calls.

In August, Mr. Platkin and Gov. Philip D. Murphy dedicated $10 million in federal Covid relief funds to hospital-based violence intervention programs statewide, including Paterson Healing Collective, the same nonprofit where Najee Seabrooks worked. Mr. Platkin also plans to bring to Paterson a program called ARRIVE Together, in which mental health experts respond to calls about people in emotional distress, with or without police officers.

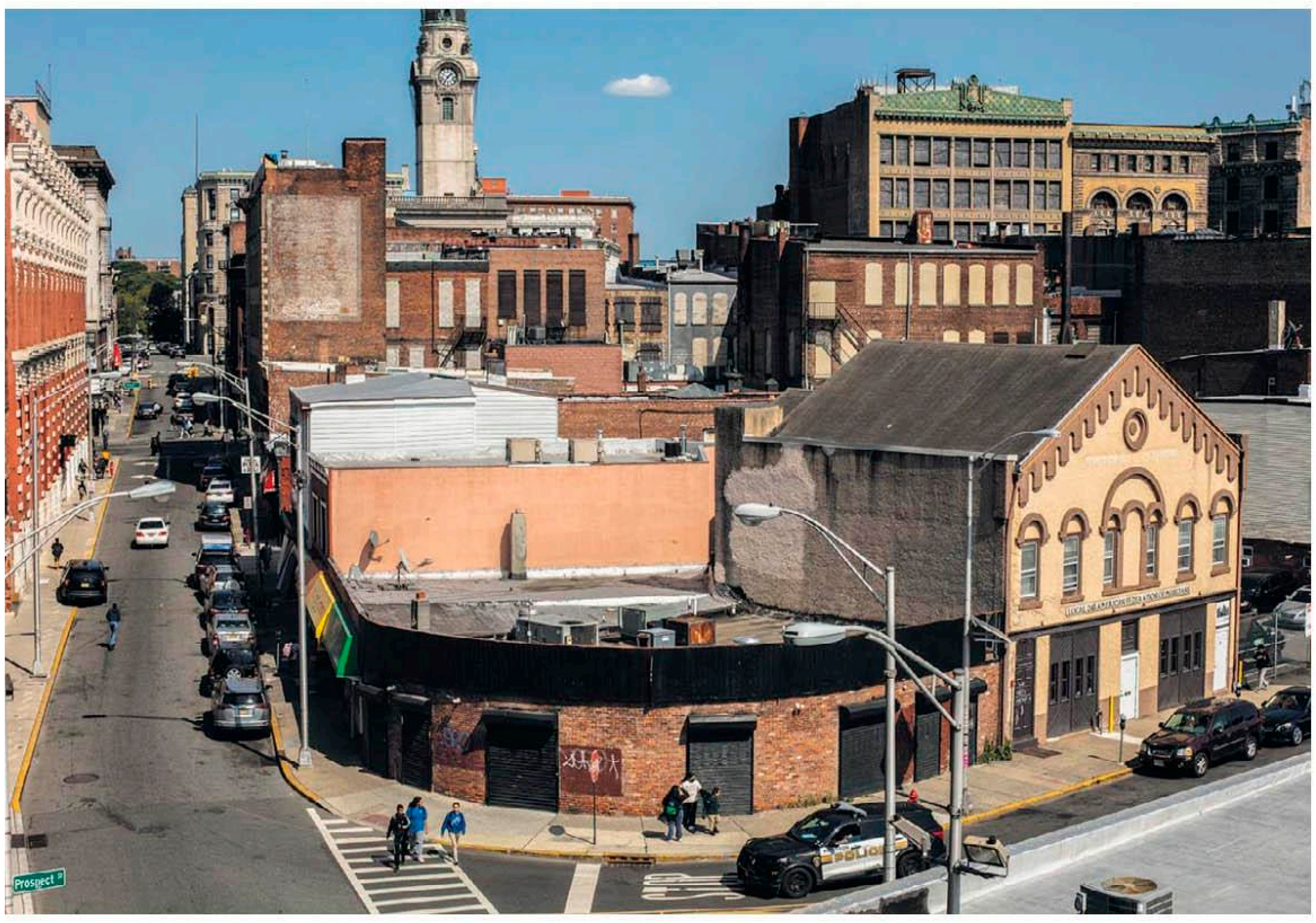
"We in this country have asked law enforcement to do way too much, and every cop knows it," said Mr. Platkin. "I do think New Jersey can be a model. And if we can show it can happen in Paterson, then it can happen anywhere."

Perhaps to help his argument that he can bring change, Mr. Platkin's office issued a news release describing a standoff between police officers and a suicidal, knife-wielding man on April 8, near the apartment where Najee Seabrooks was killed a month before. Officers negotiated with the man for six and a half hours, with help from a team of crisis intervention experts.

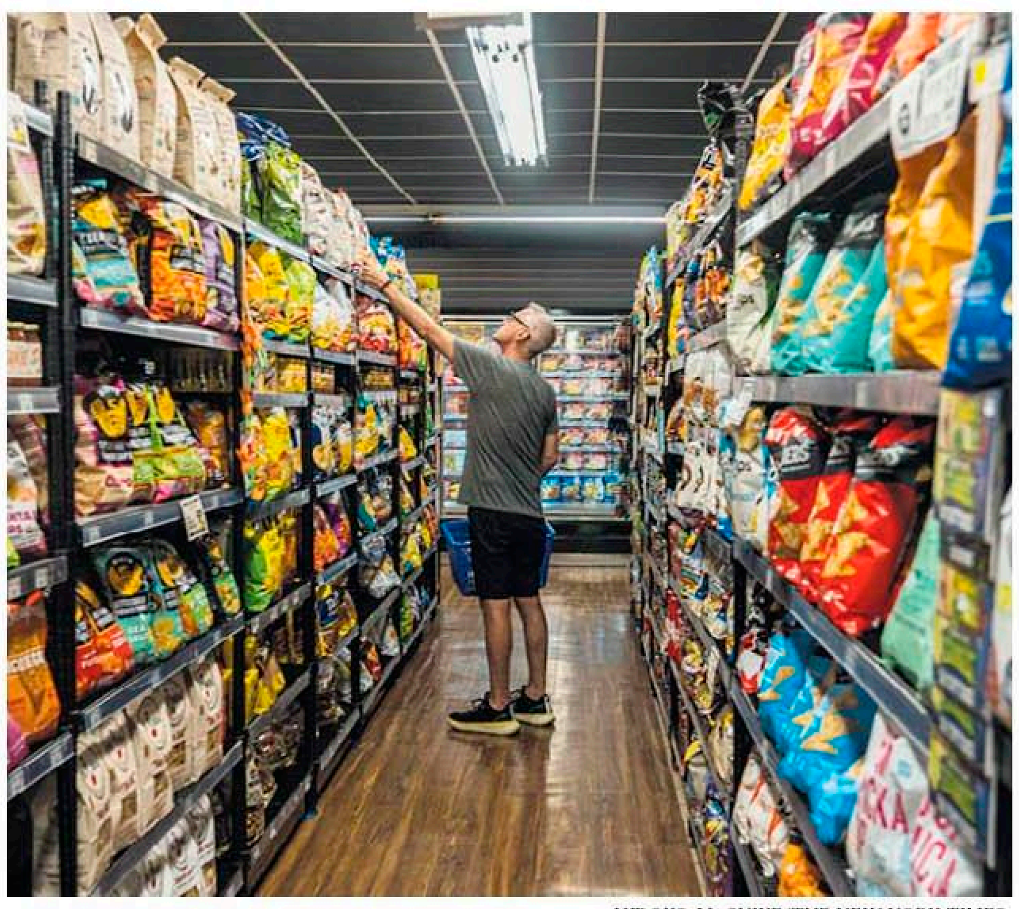
The man, whose name was not released, surrendered at 11:26 p.m. He was transported peacefully to a nearby hospital, unharmed.

'I couldn't go to sleep every night wondering what the next shoe to drop was going to be.'

Matthew J. Platkin, New Jersey's attorney general, on taking control of the Paterson Police Department.



Like many old mill towns, Paterson has struggled to find its footing. Sixteen miles from Manhattan, Paterson is a diverse city of 156,000 where 62 percent of the residents are Hispanic, and 40 percent of children live in poverty.



HIROKO MASUIKE/THE NEW YORK TIMES

Grocery shopping in Manhattan. Though customers may grumble at high prices, they are still buying, rewarding shareholders.

Big Companies Keep Raising Their Prices To Protect Their Profits

From Page A1

ing the expectations of Wall Street analysts that profit margins would decline slightly. And while margins are below their peak in 2021, analysts forecast that they will keep expanding in the second half of the year.

For much of the last two years, most companies "had a perfectly good excuse to go ahead and raise prices," said Samuel Rines, an economist and the managing director of Corbu, a research firm that serves hedge funds and other investors. "Everybody knew that the war in Ukraine was inflationary, that grain prices were going up, blah, blah, blah. And they just took advantage of that."

But those go-to rationales for elevating prices, he added, are now receding.

The Producer Price Index, which measures the prices that businesses pay for goods and services before they are sold to consumers, reached a high of 11.7 percent last spring. That rate plunged to 2.3 percent for the 12 months through April.

The Consumer Price Index, which tracks the prices of household expenditures on everything from eggs to rent, has also been falling, but at a much slower rate. In April, it dropped to 4.93 percent, from a high of 9.06 percent in June 2022. The price of carbonated drinks rose nearly 12 percent in April from 12 months earlier.

A strategy that adds to the very inflationary pressures used to justify surging prices.

"Inflation is going to stay much higher than it needs to be, because companies are being greedy," Mr. Edwards of Société Générale said.

But analysts who distrust that explanation said there were other reasons consumer prices remained high. Since inflation spiked in the spring of 2021, some economists have made the case that as households emerged from the pandemic, demand for goods and services — whether garage doors or cruise trips — was left unsated because of lockdowns and constrained supply chains, driving prices higher.

David Beckworth, a senior research fellow at the right-leaning Mercatus Center at George Mason University and a former economist for the Treasury Department, said he was skeptical that the rapid pace of price increases was "profit-led."

Corporations had some degree of cover for raising prices as consumers were peppered with news about imbalances in the economy. Yet Mr. Beckworth and others contend that those higher prices would not have been possible if people were not willing or able to spend more. In this analysis, stimulus payments from the government, investment gains, pay raises and the refinancing of mortgages at very low interest rates play a larger role in higher prices than corporate profit-seeking.

"It seems to me that many telling the profit story forget that households have to actually spend money for the story to hold," Mr. Beckworth said. "And once you look at the huge surge in spending, it becomes inescapable to me where the causality lies."

Mr. Edwards acknowledged that government stimulus measures during the pandemic had an effect. In his eyes, this aid meant that average consumers weren't "beaten up enough" financially to resist higher prices that might otherwise make them flinch. And, he added, this dynamic has also put the weight of inflation on poorer households "while richer ones won't feel it as much."

The top 20 percent of households by income typically account for about 40 percent of total consumer spending. Overall spending on recreational experiences and luxuries appears to have peaked, according to credit card data from large banks, but remains robust enough for firms to keep charging more. Major cruise lines, including Royal Caribbean, have continued lifting prices as demand for cruises has increased going into the summer.

Many people who are not at the top of the income bracket have had to trade down to cheaper products. As a result, several companies that cater to a broad customer base have fared better than expected, as well.

McDonald's reported that its sales increased by an average of 12.6 percent per store for the three months through March, compared with a year earlier. About 4.2 percent of that growth came from increased traffic and 8.4 percent from higher menu prices.

The company attributed the recent menu price increases to higher expenses for labor, transportation and meat. Several consumer groups have responded by pointing out that recent upticks in the cost of transportation and labor have eased.

A representative for McDonald's said in an email that the company's strong results were not just a result of price increases but also "strong consumer demand for McDonald's around the world."

Other corporations have found that fewer sales at higher prices have still helped them earn bigger profits, a dynamic that Mr. Rines of Corbu has coined "price over volume."

Colgate-Palmolive, which in addition to commanding a roughly 40 percent share of the global toothpaste market sells kitchen soap and other goods, had a standout first quarter. Its operating profit for the year through March rose 6 percent from a year earlier — the result of a 12 percent increase in prices even as volume declined by 2 percent.

The recent bonanza for corporate profits, however, may soon start to fizzle.

Research from Glenmede Investment Management indicates there are signs that more consumers are cutting back on pricier purchases. The financial services firm estimates that households in the bottom fourth by income will exhaust whatever is collectively left of their pandemic-era savings sometime this summer.

Some companies are beginning to find resistance from more price-sensitive customers. Dollar Tree reported rising sales but falling margins, as lower-income customers who tend to shop there searched for deals. Shares in the company plunged on Thursday as it cut back its profit expectations for the rest of the year. Even PepsiCo and McDonald's have recently taken hits to their share prices as traders fear that they may not be able to keep increasing their profits.

For now, though, investors appear to be relieved that corporations did as well as they did in the first quarter, which has helped keep stock prices from falling broadly.

Before large companies began reporting how they did in the first three months of the year, the consensus among analysts was that earnings at companies in the S&P 500 would fall roughly 7 percent from a year earlier. Instead, according to data from FactSet, earnings are expected to have fallen around 2 percent once all the results are in.

Savita Subramanian, the head of U.S. equity and quantitative strategy at Bank of America, wrote in a note that the latest quarterly reports "once again showed corporate America's ability to preserve margins." Her team raised overall earnings growth expectations for the rest of the year, and 2024.

Former First Lady Rosalynn Carter Is Said to Suffer From Dementia

By MICHAEL LEVENSON and DANI BLUM

Rosalynn Carter, the wife of former President Jimmy Carter and a longtime advocate for greater access to mental health care, has dementia, the Carter Center said on Tuesday.

The announcement came just over three months after the center said that Mr. Carter, who at 98 is the longest living president in American history, had decided to forgo further medical treatment and would enter hospice care at the couple's home in Plains, Ga.

The center said on Tuesday that Mrs. Carter, 95, "continues to live happily at home with her husband, enjoying spring in Plains and visits with loved ones."

"We recognize, as she did more than half a century ago, that stigma is often a barrier that keeps individuals and their families from seeking and getting much-needed support," the center said. "We hope sharing our family's news will increase important conversations at kitchen tables and in doctor's offices around the country."

Dementia is not a disease, but an umbrella term for a cluster of symptoms indicating cognitive decline. People with dementia struggle to remember, think and communicate clearly. They may get lost in their own neighborhood or forget the names of their spouses or children.

They may also struggle to perform basic tasks like showering, getting dressed or driving a car, said Dr. Joel Salinas, a cognitive-behavioral neurologist at N.Y.U.

She and her husband, who is in hospice care, are together at home.

Langone Health and chief medical officer of Isaac Health, an online memory center. Many people with dementia also develop depression and anxiety, he said.

Alzheimer's disease is the most common type of dementia.

The vast majority of people with dementia are over 65. And by the time someone is in their 80s, they have a roughly 30 percent risk of developing dementia, Dr. Salinas said. Family history, especially having parents or siblings with dementia, a traumatic brain injury, high blood pressure, high cholesterol and smoking can increase the risk of developing dementia.

Medications can help manage the symptoms of Alzheimer's disease; the Food and Drug Administration recently approved a new drug, lecanemab, to slow cognitive decline, although that medication comes with the risk of bleeding in the brain and swelling. Behavioral interventions, like cognitive rehabilitation training, can also be beneficial.

"The earlier you can detect, diagnose and treat, the greater the impact you'll have on the long-term trajectory of these conditions," Dr. Salinas said.

The Carters have been married for 76 years, the longest marriage in presidential history. It is a partnership that has weathered his rise from Georgia politics into the White House and his defeat in the 1980 presidential election, which sent the couple back home to Plains as political outcasts with a faltering business.

As the couple reflected on 75 years of marriage in 2021, Mr. Carter said their bond had only deepened in the later years of their lives, as he endured a series of health crises, including a bout with the skin cancer melanoma, which spread to his liver and brain.

ERIN SCHAFF/THE NEW YORK TIMES

Rosalynn Carter, the wife of former President Jimmy Carter, has been a longtime advocate for greater access to mental health care.

"We've just grown closer and closer together," Mr. Carter said.

Last week, while Mr. Carter was in hospice, a grandson, Jason Carter, told The Associated Press that the former president and Mrs. Carter were spending time with family and "doing it in the best possible way: the two of them together at home."

"They've been together 70-plus years," Jason Carter told The A.P. "They also know that they're not in charge. Their faith is really grounding in this moment. In that way, it's as good as it can be."

Mrs. Carter once said that her interest in mental health began during her husband's 1970 campaign for governor of Georgia. As she traveled the state, she said, she was amazed at the number of people who told her of mental health problems in their families.

"I began to realize that something had to be done," she said in 1976, "and that we were the ones that had to do it."

Mrs. Carter served on a commission to improve mental health services when her husband was governor of Georgia, was honorary chairwoman of the President's Commission on Mental Health during the Carter administration and lobbied for passage of the Mental Health Systems Act of 1980, which required states to spend money on mental health programs. For more than three decades, she also convened an annual gathering, the Rosalynn Carter Symposium on Mental Health Policy, to discuss ways to improve treatment and reduce stigma.

In 1977, she told an international meeting of mental health experts that their first priority should be teaching society not to fear people with mental illness.

"We must create a climate in which our most vulnerable are accepted," she said. "We must start first with them. Then the rest will fall naturally into place."

The Carter Center said that, as the founder of the Rosalynn Carter Institute for Caregivers, Mrs. Carter often noted that there were only four kinds of people in the world: those who have been caregivers; those who are currently caregivers, those who will be caregivers, and those who will need caregivers.

"The universality of caregiving is clear in our family, and we are experiencing the joy and the challenges of this journey," the center said. "We do not expect to comment further and ask for understanding for our family and for everyone across the country serving in a caregiver role."

Wine at Wegmans? Never in New York, if Liquor Store Owners Get Their Way.

By LUIS FERRÉ-SADURNÍ

In New York, all sorts of things that were once considered illegal are now fair game, like buying marijuana and smoking it in public, or betting on sports right from your cellphone.

But what if you wanted to buy wine from a grocery store? Or a bottle of vodka on Sunday morning for an early Bloody Mary? Sorry, no. That's against the law.

For years, state lawmakers have tried to tackle New York's antiquated liquor laws, with halting success. Until last year, for example, liquor stores were barred from opening on Christmas Day. And it wasn't until 2016 that lawmakers passed the so-called boozy-brunch bill, which allowed restaurants to serve alcohol before noon on Sunday.

But attempts to make the alcoholic beverage industry more competitive and friendlier to consumers have typically faced opposition from recalcitrant parties that stand to lose money, and resistance from lawmakers concerned about easing the sale of alcohol. The state has created three commissions in recent years, the first two in 2009 and 2016, to make recommendations to update the state's laws. Most were never adopted.

The renewed focus on New York's alcohol statutes stems from a 192-page report issued in May by the third commission, which Gov. Kathy Hochul and the State Legislature established last year to propose changes to the state's Alcoholic Beverage Control, or A.B.C., law. The law, enacted in 1934, has long been criticized as outdated and riddled with outlandish vestiges of Prohibition.

At first glance, some of the changes that state lawmakers are now considering for modernizing the laws might seem like straightforward, common-sense reforms that would benefit consumers.

One would allow New Yorkers to buy wine at grocery stores. Another would permit liquor stores to open before noon on Sunday. A third would let bars buy bottles of liquor directly from a liquor store if they run out on a busy night, instead of waiting until the next shipment from a supplier.

But efforts to alter the liquor laws seem unlikely to succeed this year, unable to overcome powerful, but familiar headwinds: the obdurate opposition of an alcohol industry that has used its clout in the State Capitol to preserve the status quo and protect its bottom line for decades.

As the 2023 legislative session comes to a close, the proposed changes to the liquor laws have prompted a last-minute dash of frenzied lobbying from liquor stores, distributors and distillers. Bars and restaurants have also jumped into the fray, trying to loosen rules to make it easier to obtain liquor licenses.

And grocery stores and supermarkets, led by chains like Wegmans, have joined together to achieve an elusive goal: to permit the sale of wine at their stores, reigniting a perennial skirmish against mom-and-pop liquor stores that see the legislation as a threat to their very existence.

"Somehow this becomes this huge controversy because New York is one of the few states that you can't go into a supermarket and buy wine, even though you can buy beer," said State Senator Liz Krueger, a Manhattan Democrat who introduced the bill to allow the sale of wine in grocery stores.

"The underlying issue is that you've got a monopoly control of wholesale distribution of liquor in this state, and the three wholesalers who control all liquor distribution think that this disadvantages them," she said.

Wegmans, a supermarket chain based in Rochester, has spent over $30,000 in May alone pushing the measure, which liquor stores have fended off every time it has emerged in Albany over the past four decades.

The two main alcohol distributors in the state, Southern Glazer's Wine & Spirits and Empire Merchants, have collectively spent at least $120,000 since the year began on lobbying state officials, disclosure records show. The families that own Southern Glazer's, which is the largest liquor distributor in the United States and based in Florida, also contributed at least $25,000 to Ms. Hochul's campaign last year.

"When you change one area to benefit a business in the industry, it oftentimes has a negative and unacceptable adverse impact on another sector in the industry," said Assemblyman Harry Bronson, a Rochester Democrat who recently introduced legislation to change the A.B.C. law. "We have to be very cautious here. The reason we have these laws is because we want to highly regulate the sale and distribution of alcoholic beverages."

The 16-member commission appointed last year was, like its predecessors, formed with the goal of finding common ground to break years of logjam in Albany. It was composed largely of representatives of the alcohol industry,

CASEY STEFFENS FOR THE NEW YORK TIMES

Grocery stores and supermarkets, led by chains like Wegmans, are trying to get wine in their aisles.

CINDY SCHULTZ FOR THE NEW YORK TIMES

State Senator Liz Krueger, a Manhattan Democrat, introduced the bill that would allow consumers to buy wine in more places.

SLAVEN VLASIC/GETTY IMAGES FOR MEDIA ASSETS, INC.

State Senator James Skoufis, a Hudson Valley Democrat, favors changing the A.B.C. law.

including a winery owner, a senior manager at Anheuser-Busch and the head of a liquor store trade group, and the restaurant industry.

The commission failed to reach consensus on some of the most contentious issues, such as allowing grocery stores to sell wine. But, through a majority vote, the panel issued a report containing 18 relatively modest recommendations, from clerical changes for streamlining liquor-license applications to eliminating a restriction that prohibits restaurants and bars from serving liquor within 200 feet of a school or house of worship.

It is now up to lawmakers to decide whether to turn the proposed changes into legislation.

The most momentum for change appears to be in the State Senate, where James Skoufis, a Hudson Valley Democrat and the loudest proponent of reforming the A.B.C. law, introduced a bill that incorporated the commission's recommendations. It has advanced out of committee.

"The most important stakeholder here is the consumer," Mr. Skoufis said in an interview. "There's no reason, for example, that a consumer shouldn't be able to go into a liquor store and get some mixers and bitters while they're there, as opposed to having to make a separate stop at the grocery store down the street." (His bill would loosen limits on the items liquor stores can sell besides alcohol).

The path is less certain in the State Assembly, where companion legislation introduced by Mr. Bronson is not expected to get a floor vote this year.

Ms. Hochul, a Democrat, has not shared her view of the proposed changes publicly. Members of her staff met in May with industry stakeholders, including commission members. State officials seemed interested in reforming the liquor law but appeared more inclined to tackle the issue next year, according to a participant who requested anonymity to discuss a private meeting.

Hazel Crampton-Hays, a spokeswoman for Ms. Hochul, said the governor was committed to "flexibility and reforms" in the industry, noting her success last year in legalizing the sale of to-go drinks.

"We are reviewing these recommendations and continuing to engage with the Legislature and stakeholders as we work to modernize the industry," Ms. Crampton-Hays said.

Because the commission's recommendations are not binding, they have led to an unusual dynamic that threatens to undermine any action: Some of the same industry players who prepared the report are lobbying against changes it proposed.

"The wild card is those forces that were on the commission, who didn't like the results of the commission and are now actively lobbying against things that they didn't like," said Paul Zuber, the executive vice president of the Business Council, a lobbying group for businesses in the state. Mr. Zuber was part of the commission.

The commission's recommendations included allowing business owners to own more than one wine or liquor store. Currently, New York is one of only a few states that prohibits liquor store owners from owning more than one establishment, a restriction that does not apply to other retail businesses, including restaurants, laundromats and hardware stores.

The Business Council and national liquor chains like Total Wine & More, which now has only one store on Long Island, are pushing to expand the number of stores an owner can have, arguing that it would increase competition and allow entrepreneurs to expand their businesses.

But lobbying groups for the more than 3,000 liquor stores in the state, most of them small businesses, oppose such a move stridently, casting it as a fundamental threat. They argue that even one additional license could open the floodgates to a proliferation of chain stores.

"All of a sudden you would have the corporatization of liquor," said Michael Correra, the owner of a Brooklyn Heights liquor store and the executive director of the Metropolitan Package Store Association, a trade group. " I know my community, I live in my community, I'm not some guy from Delaware or Virginia who owns 1,000 stores in the United States and wants to go open up 10 stores in New York."

A.I. Poses Risk to Humanity on Par With That of Nuclear Arms, Industry Leaders Warn

From Page A1

stop short of explaining how that would happen.

These fears are shared by numerous industry leaders, putting them in the unusual position of arguing that a technology they are building — and, in many cases, are furiously racing to build faster than their competitors — poses grave risks and should be regulated more tightly.

This month, Mr. Altman, Mr. Hassabis and Mr. Amodei met with President Biden and Vice President Kamala Harris to talk about A.I. regulation. In a Senate testimony after the meeting, Mr. Altman warned that the risks of advanced A.I. systems were serious enough to warrant government intervention and called for regulation of A.I. for its potential harms.

Dan Hendrycks, the executive director of the Center for AI Safety, said in an interview that the open letter represented a "coming-out" for some industry leaders who had expressed concerns — but only in private — about the risks of the technology they were developing.

"There's a very common misconception, even in the A.I. community, that there only are a handful of doomers," Mr. Hendrycks said. "But, in fact, many people privately would express concerns about these things."

Some skeptics argue that A.I. technology is still too immature to pose an existential threat. When it comes to today's A.I. systems, they worry more about short-term problems, like biased and incorrect responses, than longer-term dangers.

Vast disruptions could be only years away, an open letter says.

But others have argued that A.I. is improving so rapidly that it has already surpassed human-level performance in some areas, and that it will soon surpass it in others. They say the technology has shown signs of advanced abilities and understanding, giving rise to fears that "artificial general intelligence," or A.G.I., a type of artificial intelligence that can match or exceed human-level performance at a wide variety of tasks, may not be far off.

In a blog post last week, Mr. Altman and two other OpenAI executives proposed several ways that powerful A.I. systems could be responsibly managed. They called for cooperation among the leading A.I. makers, more technical research into large language models and the formation of an international A.I. safety organization, similar to the International Atomic Energy Agency, which seeks to control the use of nuclear weapons.

Mr. Altman has also expressed support for rules that would require makers of large, cutting-edge A.I. models to register for a government-issued license.

In March, more than 1,000 technologists and researchers signed another open letter calling for a six-month pause on the development of the largest A.I. models, citing concerns about "an out-of-control race to develop and deploy ever more powerful digital minds."

That letter, which was organized by another A.I.-focused nonprofit, the Future of Life Institute, was signed by Elon Musk and other well-known tech leaders, but it did not have many signatures from the leading A.I. labs.

The brevity of the new statement from the Center for AI Safety — just 22 words in all — was meant to unite A.I. experts who might disagree about the nature of specific risks or steps to prevent those risks from occurring, but who share general concerns about powerful A.I. systems, Mr. Hendrycks said.

"We didn't want to push for a very large menu of 30 potential interventions," he said. "When that happens, it dilutes the message."

The statement was initially shared with a few high-profile A.I. experts, including Mr. Hinton, who quit his job at Google this month so he could speak more freely, he said, about the potential harms of artificial intelligence.

From there, it made its way to several of the major A.I. labs, where some employees then signed on.

The urgency of A.I. leaders' warnings has increased as millions of people have turned to A.I. chatbots for entertainment, companionship and increased productivity, and as the underlying technology improves at a rapid clip.

"I think if this technology goes wrong, it can go quite wrong," Mr. Altman told the Senate subcommittee. "We want to work with the government to prevent that from happening."

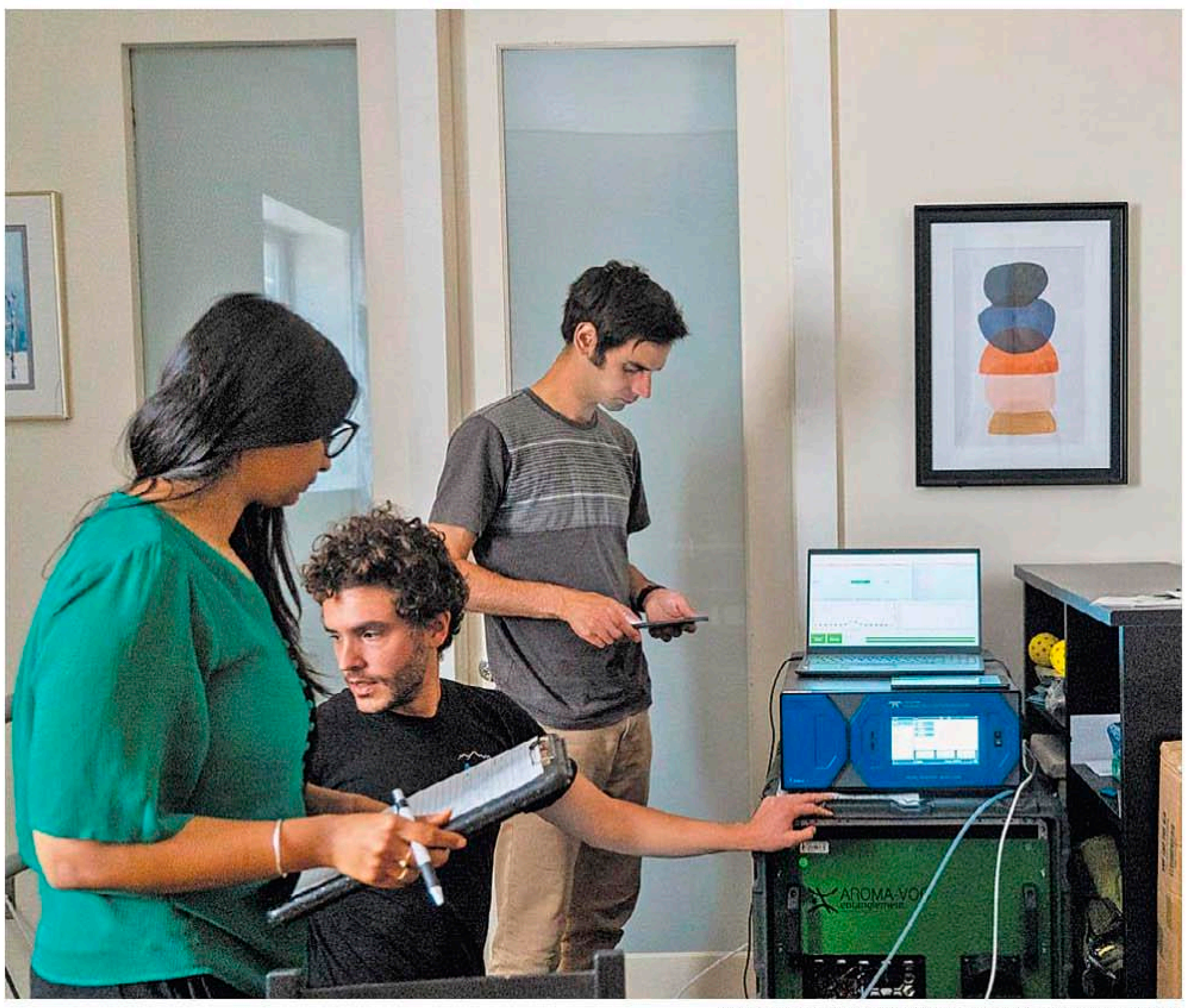
Testing New York Apartments to Check Risk of Gas Stoves

From Page A1

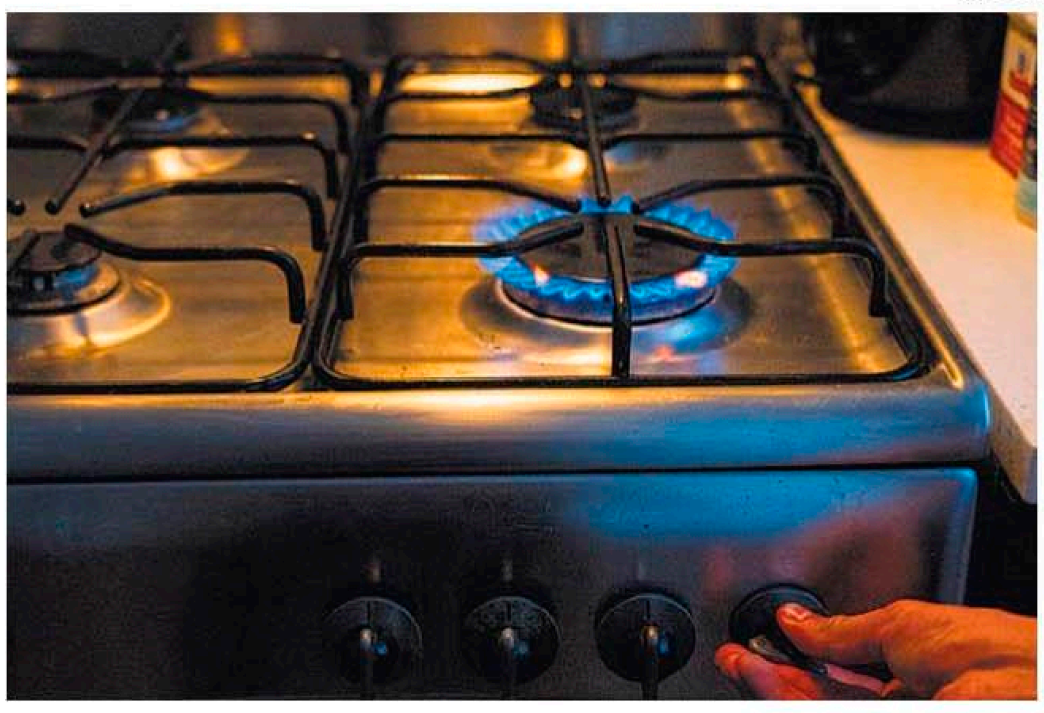
On a crisp Sunday morning, the Stanford scientists made their first stop in New York City: a public-housing project in Morningside Heights in Upper Manhattan. Their first challenge: hauling 300 pounds of equipment to the 18th floor. "Hope there's an elevator," Rob Jackson, a professor at the Stanford Doerr School of Sustainability and the team's leader, said warily. (There was.)

The three-bedroom apartment they were visiting — home to Tina Johnson, a mother to three adult children — overlooks elevated train tracks and has an eat-in kitchen filled with the aromas of herbs and spices that she uses to make her favorite dish, an American-style ratatouille. Mrs. Johnson had just cooked a breakfast of fried eggs and potatoes.

"I'm glad you're here," she told the researchers. A new stove had just been installed in her unit, but she still "can't stand the smell" of the gas from it, she said. She had volunteered to participate in the study through a local climate group, Mrs. Johnson said, because she and her children have asthma and other health problems; she was eager to know what their stove did to the air they breathed.



PHOTOGRAPHS BY CALLA KESSLER FOR THE NEW YORK TIMES



A team of scientists from Stanford testing an apartment in Brooklyn for gas stove emissions. Some cities and states are seeking to phase out gas connections in new buildings.

Nose-High Tubes

The researchers got to work powering up their analyzers and setting up tubes, at roughly nose height, to pull in samples of air. After they took background readings, it was time to turn on the gas, a single small burner on high.

The machinery quickly detected the change: a rise in concentrations of nitrogen dioxide — which, among other negative health effects, can irritate the respiratory system, aggravate symptoms of respiratory diseases and contribute to asthma. Concentrations climbed to 500 parts per billion, five times the safety benchmark for one-hour exposures set by the Environmental Protection Agency. (Concentrations of benzene, a human carcinogen that is present in cigarette smoke and car emissions, also tripled.)

This was with the kitchen doorway sealed off and the window closed, too. Mrs. Johnson's kitchen also lacks a stove hood, which could help with ventilation.

Opening the kitchen entrance and cracking open the window, as Mrs. Johnson said she often did while cooking, brought nitrogen dioxide levels down to about 200 parts per billion. But that also meant fumes from the stove were now seeping into the rest of the apartment.

In one bedroom, nitrogen dioxide concentrations reached about 70 parts per billion, below the E.P.A. threshold but significantly above the World Health Organization's standards for chronic exposure.

There has been mounting scientific evidence of the health risks of gas stoves. One paper published late last year found that gas stoves may be linked to nearly 13 percent of childhood cases of asthma in the United States. Previous research shows that gas stoves have led to more exacerbated asthma symptoms as well.

There are a few simple steps that people can take to reduce the danger, such as opening the windows and buying an air purifier.

One characteristic of New York residences, Dr. Jackson later said, is that people tend to go about their lives at home — working, relaxing, sleeping — far closer to the gas stove than those in a suburban setting. In all, he said, "the biggest surprise for me has been just how high concentrations get, but also how quickly the pollutants spread around the home."

'Dinner Party Scenario'

The next day, the team was back testing at another location, this time at an Airbnb apartment in Central Harlem. Their goal: recreate a "big family or dinner party scenario," said Yannai Kashtan, a Ph.D. candidate in earth system science at Stanford and a member of the research team.

To limit their own exposure, the team members camped out on a balcony, with sweeping views of Upper Manhattan, holding their breath and running in and out to check on levels.

In the course of about 40 minutes, levels of nitrogen dioxide topped 200 parts per billion in the living room, 300 parts per billion in the bedroom and 400 parts per billion in the kitchen, or double, triple and quadruple thresholds set by the E.P.A. for one-hour exposures. Benzene concentrations also tripled after the stove was turned on.

This stove came with a hood. "But feel this," Mr. Kashtan said, his hand in a stream of hot air that was blowing out from the hood's edge instead of venting outdoors. That meant the hood "doesn't make much difference" to the bad air, he said.

In all, the team conducted daylong testing at eight New York City apartments, including a Brooklyn home where the researchers puzzled over a New York peculiarity: windows sealed with plastic. That was for insulation, said Nina Domingo, who lives in the ground-floor unit with two housemates. But it also meant poor ventilation, which was alarming, given that the kitchen also lacked a hood that vented to the outside.

In the immediate kitchen area, nitrogen dioxide concentrations quickly rose to about 2.5 times the E.P.A. threshold.

The team's results are preliminary, but they are in line with a body of scientific research that has linked gas stove emissions to harmful pollution affecting both climate change and public health. Previous research has also shown that emissions continue to be released when a stove is turned off because stoves can leak natural gas, which is mostly methane, a potent greenhouse gas.

Ms. Domingo, who works in technology, said she was aware of the concerns over pollution from stoves, and her previous apartment had, in fact, come with an electric induction stove, a particularly efficient design. But when she decided to upgrade to a larger home last summer, competition for apartment units was so fierce that she "couldn't be picky," she said.

Change could be on the horizon.

More than 60 percent of American households already use electricity to cook, and the Biden administration has proposed to expand gas stove efficiency rules, with an estimated $100 million in energy savings for people on top of the climate and health benefits. Several cities in mostly blue states have passed or considered bans on new gas hookups, effectively requiring electric cooking and heating in new construction, though some red states have moved to pre-empt such bans.

The Stanford team, which has already tested stoves in cities including San Francisco; Denver; Houston; and Melbourne, Australia, is heading to Washington next. It also plans to test in Europe and Asia.

What do they expect to find in Asian cities? Even smaller living spaces, which could mean higher concentrations of pollutants, and more exposure. It's a global problem, they said. Just how bad a problem, they're about to find out.

Man Charged In the Killing Of an Official In New Jersey

By ED SHANAHAN

A 28-year-old Virginia man was charged with murder on Tuesday in the fatal shooting of a New Jersey councilwoman, Eunice Dwumfour, in February, the authorities said. Evidence uncovered by investigators indicated that the two knew each other, officials said.

The man, Rashid Ali Bynum, of Portsmouth, Va., was taken into custody in Chesapeake City, Va., Tuesday morning and was awaiting extradition, Yolanda Ciccone, the Middlesex County, N.J., prosecutor, said at a news conference. Mr. Bynum was charged with first-degree murder and two weapons counts, Ms. Ciccone said. It was not clear whether he had a lawyer.

Ms. Dwumfour, 30, had a number associated with Mr. Bynum listed in her cellphone contacts as "FCF," an abbreviation for Fire Congress Fellowship, according to Ms. Ciccone. Mr. Bynum, Ms. Ciccone said, was a member of the fellowship, which is affiliated with Ms. Dwumfour's church, Champions Royal Assembly in Newark, an offshoot of a megachurch based in Nigeria.

Federal tax filings describe Fire Congress Fellowship as a Bible study group, identify Ms. Dwumfour as its longtime treasurer and list its office at an address in Parlin, an unincorporated section of Sayreville, N.J., that is a two-minute drive from where the fatal shooting occurred.

Ms. Ciccone did not offer a motive for the killing. She said the investigation was continuing and declined to take questions. She was joined at the news conference by other law enforcement officials; Ms. Dwumfour's father and sister; and a minister from Ms. Dwumfour's parents' church.

John Wisniewski, a lawyer for Ms. Dwumfour's family, said they were "relieved to know that somebody was being charged and going to be held accountable." But because they did not know anything about Mr. Bynum or what might have motivated him, they had a number of questions, he said.

"They're really struggling with the why," Mr. Wisniewski said.

Ms. Dwumfour was shot while she was in her car outside the complex of apartment buildings and duplexes where she lived in Parlin just before 7:30 p.m. on Feb. 1, the authorities said.

The car rolled down a steep incline before crashing into two cars at the bottom of the hill, the police said. Officers responding to reports of a shooting found Ms. Dwumfour with several gunshot wounds, and she was pronounced dead at the scene, the authorities said.

At the news conference, Ms. Ciccone described some of the evidence that led to Mr. Bynum's arrest, including security video from the murder scene, location data from his cellphone and electronic toll information that traced his route from Virginia to New Jersey and back.

Kennedy O'Brien, a former longtime Sayreville mayor, said the scenario laid out by the authorities indicated that the killing was an "assassination of a young woman who had an 11-year-old daughter" whom she was raising on her own.

"I pray to God that she is going to be OK," Mr. O'Brien said of Ms. Dwumfour's daughter.

Ms Dwumfour's family is from Ghana. She was married last year to a leader of her church, Champions Royal Assembly, a congregation based in Nigeria, according to messages she and her husband, Eze Kings, posted on Facebook.

Ms. Dwumfour graduated from Newark public schools and received a bachelor's degree in women's studies from William Paterson University of New Jersey in 2017. Her career included jobs as a business analyst and professional scrum master, a type of project manager, according to a LinkedIn profile that was active at the time of her death.

A Republican, Ms. Dwumfour was in her first three-year term as a Sayreville councilwoman at the time of her death, having narrowly defeated an incumbent Democrat to win her seat in 2021. She was the first Black person ever elected to office in Sayreville.

In a statement about her campaign posted on the Sayreville Republican Party's website, she said she loved the borough, which has a population of about 45,000 and is about 30 miles south of Manhattan in Middlesex County, and wanted to help improve the lives of its residents.

"I am fully dedicated to building a better, stronger Sayreville," she wrote. "And with your support, we can create a brighter future for our wonderful town."

Demolition of Collapsed Building Is Halted With People Still Missing

This article is by ***John Peragine, Mitch Smith*** *and* ***Amanda Holpuch.***

DAVENPORT, Iowa — On Monday morning, hours after part of a century-old apartment building crumbled onto a downtown street, officials in Davenport, Iowa, said they were not aware of anyone still trapped in the rubble.

That afternoon, as cleaved-off brick from the unsteady structure left the insides of units exposed, the city announced that its Fire Department had turned over control of the site and that recovery work had begun. Demolition, they said, was "expected to commence" the next day.

Critics say the city was too hasty to halt rescue operations.

But by nightfall on Memorial Day, it was clear that Davenport leaders had badly miscalculated: After protesters gathered at the site, rescue crews found a resident inside the building and pulled her to safety.

"The immediate question I know people are asking is, 'How did she get there? And why wasn't she found earlier?'" Mayor Mike Matson said Tuesday as officials acknowledged that more people remained missing. "I am totally transparent with you. I do not know. We do not know."

The partial collapse of the six-story building near the Mississippi River, and the handling of its aftermath, infuriated residents who questioned whether more could have been done to prevent the collapse and who said the city moved far too hastily to declare the rescue operation complete.

Dozens gathered outside the building on Tuesday, some carrying signs with messages like "Save Lives Not Property." At least five people with ties to the building remained unaccounted for on Tuesday, officials said, including at least two who were believed to have been inside. No deaths had been confirmed.

Like in New York City, where the collapse of a parking garage with unresolved safety violations killed one person earlier this year, and in Surfside, Fla., where the 2021 collapse of a condo building killed 98 people, there had been warnings about problems at 324 Main Street in Davenport, a city of 100,000 residents situated about halfway between Des Moines and Chicago.

JOSEPH CRESS/USA TODAY NETWORK, VIA REUTERS

Protesters gathered near a partially collapsed building in Davenport, Iowa, on Tuesday, calling for search efforts to continue.

In January, Davenport officials said, a complaint about the building led to brick work, though the structure, home to dozens of units and residents, was deemed structurally sound by an outside engineer. Months later, they said, another report led to permits being issued for repairs, which were underway at the time of the collapse.

Aaron Aguilar, who visited the site of the collapse on Monday, said he used to live at 324 Main and had performed maintenance work there. The structure was badly damaged by a severe storm in August 2020, Mr. Aguilar said, and some residents had to evacuate for a time after that. He said the collapse appeared to have taken place in a part of the building near the worst of the storm damage.

"I cried this morning when I found out what happened," Mr. Aguilar said in an interview, adding that he still knew people who lived there.

Attempts to reach the property owner on Tuesday were not successful. The authorities said an investigation would take place.

Officials in Davenport defended their handling of the collapse on Tuesday, noting that rescue crews rushed to the scene on Sunday and saved several people despite significant personal risk. In the hours that followed, search-and-rescue teams from across Iowa, including trained dogs, had arrived and had found no sign of anyone still buried in the pile.

"Our continuous evaluation of what to do or not to do happened in real time," Mr. Matson said Tuesday when he was pressed about why the city had announced plans to start demolition when, it turned out, people were still missing.

With demolition plans on hold, the next steps remained uncertain. Structural engineers and rescue crews said the building was perilously unsteady, doomed to fall on its own at some point, and that even making another sweep would be perilous.

"It's extremely difficult: You can't run up to a pile of bricks and rocks and just start throwing things off, as much as we want to," said Jim Morris, an assistant fire chief and the city's fire marshal. "We want to get everybody out and we want to do it right now."

Later in the day, rescue workers entered the building and emerged with six cats, two snakes and a lizard whose owners had provided photos and told them where they were located.

The pets all looked to be in good health, said Erika Gunn, the executive director of the local humane society, who waited outside to examine the animals. "We are excited and relieved," she said.

But there was no immediate news on the status of the missing residents.

Amy Anderson, who said her family member Ryan Hitchcock was among the missing, asked for calm and respect as crews studied the building and prepared to resume searching.

"I plead with our community just to let the city do their job right now," said Ms. Anderson, who described Mr. Hitchcock's Christian faith and said he would not want anyone to be injured searching for him. "It is an absolute no-win situation but this is the best plan of attack and we don't want anyone else hurt."

Outside the apartment building, Branden Colvin Jr., 18, said he was "still holding out hope" about his father, Branden Colvin Sr., who remained missing.

The elder Mr. Colvin had returned to the building from work around noon Sunday, visited a neighbor and then returned to his unit to take a nap, family members said.

No one had seen him since. His black Honda Accord remained parked outside.

Corrections

INTERNATIONAL

Because of an editing error, an article on Sunday about Canada's gift of the Hudson's Bay department store building to a group of First Nations referred incorrectly to the estimated cost of bringing the building up to code. The cost, 111 million Canadian dollars, is equivalent to $82 million, not $8 million.

SPORTS

Because of an editing error, an article on Tuesday about the top women's tennis players misidentified Elena Rybakina's opponent on Tuesday at the French Open. It is Brenda Fruhvirtova, not Linda Fruhvirtova (who is her sister).

ARTS

An article on May 22 about the Nigerian artist Njideka Akunyili Crosby misidentified the website for David Zwirner gallery. It is davidzwirner.com, not zwirner.com.

A subheading with an article on Sunday about the British comedian James Acaster's new focus on music and the release of his debut album misstated what he described as his first obsession. As the article correctly noted, it was music, not stand-up comedy.

OBITUARIES

An obituary on Jan. 26 about James G. Lowenstein, an investigator for the Senate Foreign Relations Committee whose reports undermined President Richard M. Nixon's strategy in the Vietnam War, misspelled the surname of Mr. Lowenstein's partner, who survives him. She is Audrey Wolf, not Wolfe. This correction was delayed because it was only recently brought to the editors' attention.

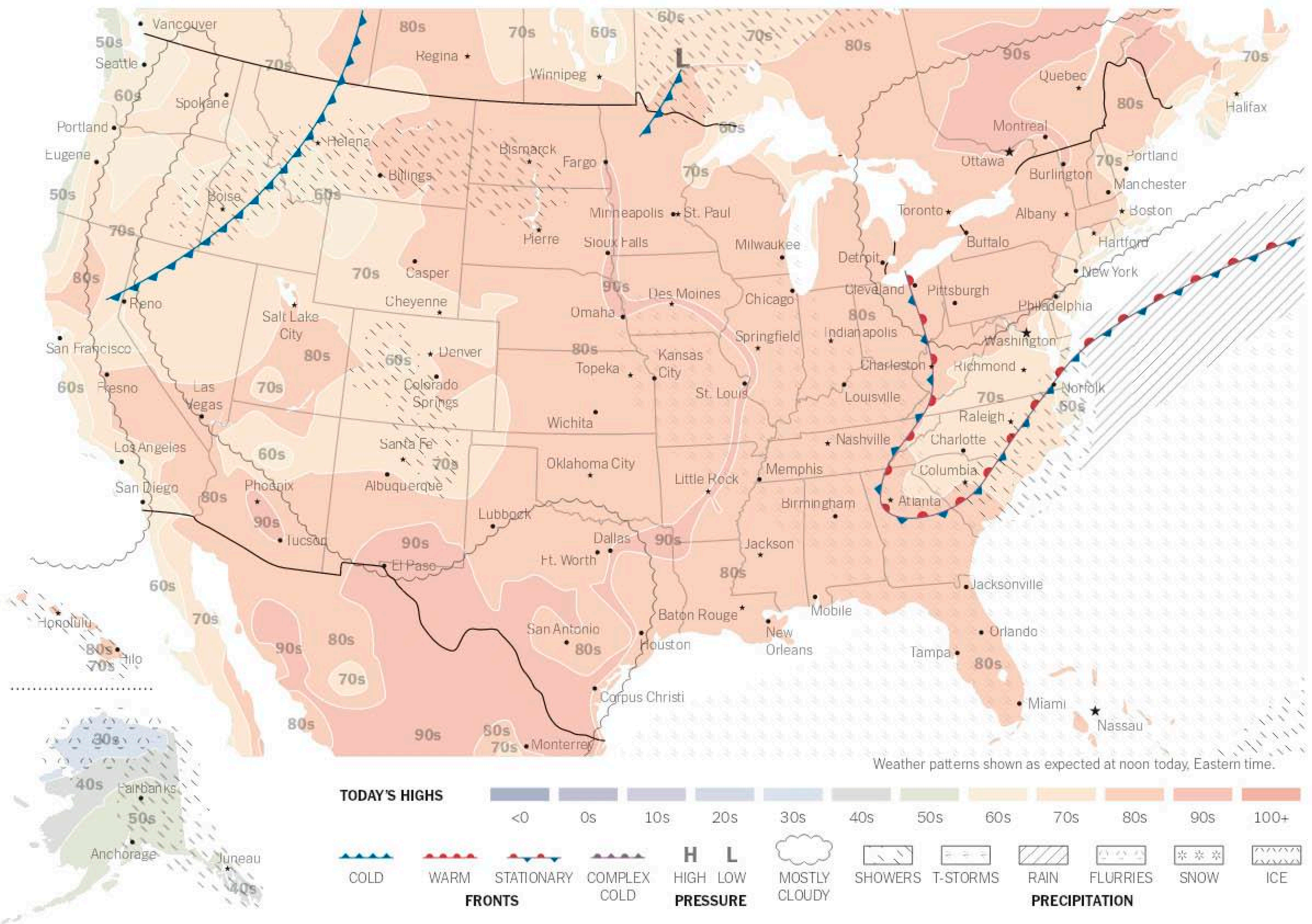
An obituary on Monday about Stanley Engerman, a scholar of American slavery, referred incorrectly to Kenneth B. Clark, who criticized a book by Professor Engerman and his co-author, Robert W. Fogel, as portraying slavery "as a benign form of oppression." He was a social psychologist, not a sociologist.

Errors are corrected during the press run whenever possible, so some errors noted here may not have appeared in all editions.

Contact the Newsroom
To contact the newsroom regarding correction requests, please email corrections@nytimes.com.

Weather Report

Meteorology by **AccuWeather**



Metropolitan Forecast

TODAY ....Mostly sunny

High 74. High pressure will remain throughout the day, promoting plenty of sunshine. Wildfire smoke from Canada will lead to a hazy sky and may cause poor air quality at times.

TONIGHT ....Partly cloudy

Low 58. Dry conditions will continue with a partly cloudy sky. There will be wind at 3-6 miles per hour. Temperatures will be near average.

TOMORROW ....Partly sunny

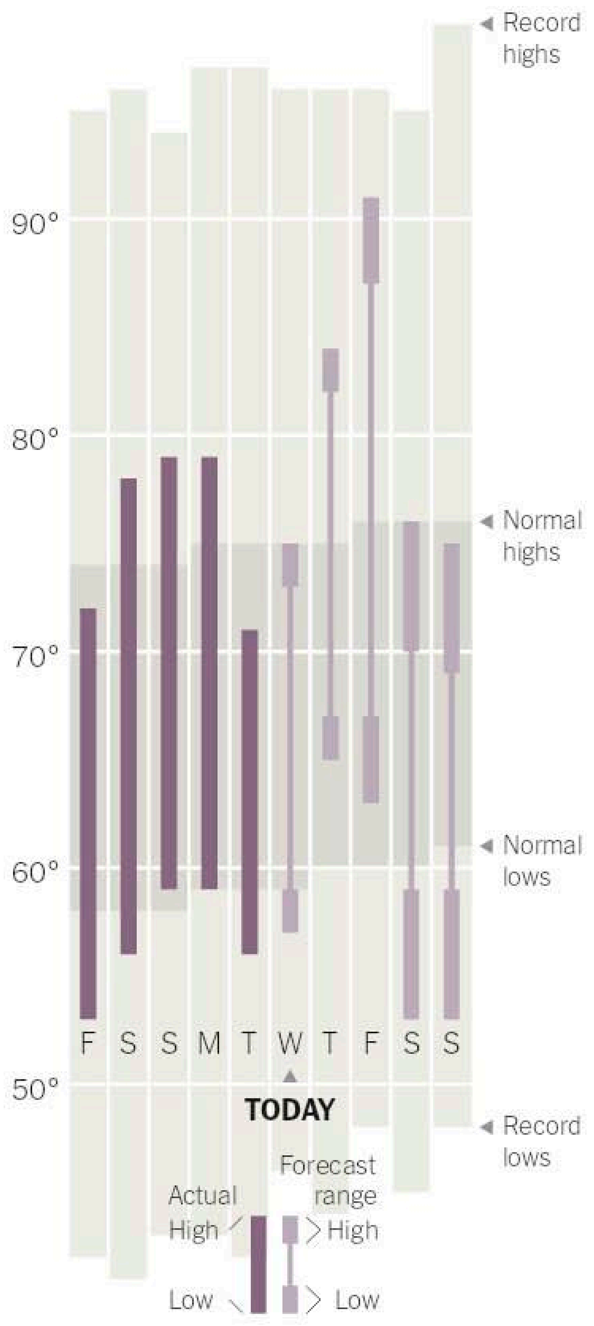
High 83. The day will be dry, and it will turn much warmer with high pressure nearby. The sky will be partly sunny, and there will be wind at 4-8 m.p.h. in the afternoon.

FRIDAY ....Mostly sunny and warm

There will be sunshine throughout the day with high pressure nearby. It will also be quite warm with readings well above average. High 89.

SATURDAY
SUNDAY ....Cooler with some sunshine

It will not be nearly as warm on Saturday despite sunshine at times. High 73. There will be plenty of sunshine on Sunday with dry conditions. High 72.



Highlight: Drought Expands East This Week

High pressure will control weather across the Great Lakes Region this week. This will result in a period with little or no rainfall from the Midwest to the Northeast. Soil moisture from Illinois to Pennsylvania has been depleted, leading to an expansion of the drought.

National Forecast

Dry weather will linger in the Northeast and parts of the Midwest today as high pressure stays over New England. This area will become warmer each day this week.

Farther south, an old storm will weaken slowly over North and South Carolina and the lower part of the Middle Atlantic Coast with clouds and a diminishing area of rain. Thunderstorms will ramp up over Florida as a disturbance hovers in the eastern Gulf of Mexico. A few storms will dot the Mississippi Valley as severe storms form over the Plains later in the day.

More spotty storms will affect the interior West, while much of the Pacific Coast and deserts will have a dry day. Low clouds may persist well into the afternoon along portions of the West Coast.

Metropolitan Almanac

In Central Park, for the 16 hours ended at 4 p.m. yesterday.

Temperature

Avg. daily departure from normal this month.............. -0.4°

Avg. daily departure from normal this year .... +4.1°

Reservoir levels (New York City water supply)

Yesterday 96%
Est. normal 99%

Precipitation (in inches)

Yesterday 0.00
Record 2.49

For the last 30 days
Actual 1.28
Normal 3.82

For the last 365 days
Actual 45.30
Normal 49.52

LAST 30 DAYS

Air pressure
High .... 30.26 11 a.m.
Low .... 30.21 1 a.m.

Humidity
High .... 69% 8 a.m.
Low .... 40% 2 p.m.

Cooling Degree Days

An index of fuel consumption that tracks how far the day's mean temperature rose above 65

Yesterday.. 0
So far this month.................................. 45
So far this season (since January 1) 86
Normal to date for the season 77

Trends

	Temperature (Average: Below / Above)	Precipitation (Average: Below / Above)
Last 10 days		
30 days		
90 days		
365 days		

Chart shows how recent temperature and precipitation trends compare with those of the last 30 years.

Recreational Forecast

Sun, Moon and Planets

Full	Last Quarter	New	First Quarter
June 3 11:42 p.m.	June 10	June 18 12:37 a.m.	June 26

Sun	**RISE** 5:27 a.m.		**Moon**	**S**	3:16 a.m.
	SET 8:20 p.m.			**R**	4:43 p.m.
	NEXT R 5:27 a.m.			**S**	3:40 a.m.
Jupiter	**R** 3:42 a.m.		**Mars**	**R**	9:40 a.m.
	S 5:10 p.m.			**S**	12:14 a.m.
Saturn	**R** 1:31 a.m.		**Venus**	**R**	8:39 a.m.
	S 12:25 p.m.			**S**	11:44 p.m.

Boating

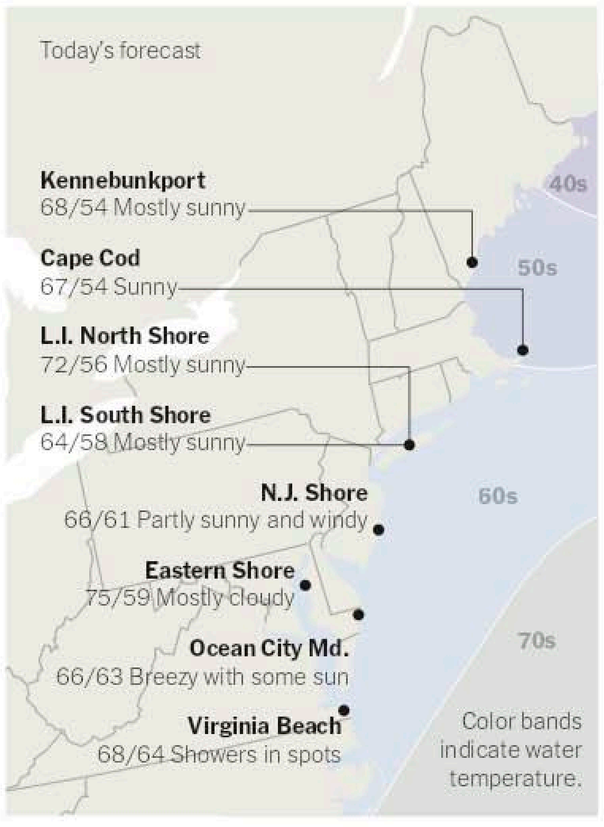
From Montauk Point to Sandy Hook, N.J., out to 20 nautical miles, including Long Island Sound and New York Harbor.

Winds will be out of the east at 6-12 knots. Waves will be 1-2 feet on New York Harbor and Long Island Sound and 2-4 feet on the ocean. Visibility will generally be unrestricted to the horizon.

High Tides

Atlantic City	5:01 a.m.	5:38 p.m.
Barnegat Inlet	5:12 a.m.	5:49 p.m.
The Battery	5:50 a.m.	6:25 p.m.
Beach Haven	6:35 a.m.	7:13 p.m.
Bridgeport	9:05 a.m.	9:20 p.m.
City Island	9:19 a.m.	9:18 p.m.
Fire Island Lt.	6:03 a.m.	6:41 p.m.
Montauk Point	6:58 a.m.	7:14 p.m.
Northport	9:21 a.m.	9:33 p.m.
Port Washington	9:35 a.m.	9:32 p.m.
Sandy Hook	5:17 a.m.	5:55 p.m.
Shinnecock Inlet	5:14 a.m.	5:42 p.m.
Stamford	9:06 a.m.	9:19 p.m.
Tarrytown	7:39 a.m.	8:14 p.m.
Willets Point	9:20 a.m.	9:20 p.m.

Beach and Ocean Temperatures



There will be a sunny sky throughout the day from New England to around Atlantic City on the Jersey Shore. Still, there may be haze because of wildfire smoke from Canada. Farther south, coastal Virginia will have more clouds with showers.

Cities

High/low temperatures for the 16 hours ended at 4 p.m. yesterday, Eastern time, and precipitation (in inches) for the 16 hours ended at 4 p.m. yesterday. Expected conditions for today and tomorrow.

C	Clouds	**S**	Sun
F	Fog	**Sn**	Snow
H	Haze	**SS**	Snow showers
I	Ice	**T**	Thunderstorms
PC	Partly cloudy	**Tr**	Trace
R	Rain	**W**	Windy
Sh	Showers	**–**	Not available

N.Y.C. region	Yesterday	Today	Tomorrow
New York City	71/ 56 0	74/ 58 S	85/ 64 PC
Bridgeport	68/ 51 0	68/ 53 S	73/ 59 PC
Caldwell	74/ 49 0	80/ 49 S	87/ 59 PC
Danbury	73/ 44 0	78/ 46 S	84/ 55 PC
Islip	68/ 50 0	70/ 53 S	76/ 55 PC
Newark	73/ 56 0	77/ 56 S	88/ 64 PC
Trenton	72/ 51 0	77/ 52 S	83/ 58 PC
White Plains	71/ 47 0	74/ 52 S	84/ 57 PC

United States	Yesterday	Today	Tomorrow
Albany	82/ 51 0	87/ 57 S	89/ 63 PC
Albuquerque	86/ 60 0	83/ 56 W	79/ 57 S
Anchorage	55/ 43 0.01	55/ 45 Sh	59/ 45 Sh
Atlanta	82/ 66 0	82/ 67 T	83/ 67 T
Atlantic City	65/ 56 0	67/ 58 W	70/ 60 PC
Austin	89/ 65 0	89/ 65 S	88/ 66 PC
Baltimore	79/ 52 0	79/ 60 PC	85/ 60 PC
Baton Rouge	89/ 68 0	89/ 68 PC	89/ 67 S
Birmingham	83/ 66 0	85/ 69 T	85/ 66 T
Boise	81/ 58 0.05	73/ 52 T	80/ 50 C
Boston	64/ 49 0	74/ 58 S	82/ 63 PC
Buffalo	85/ 61 0	86/ 61 S	87/ 62 S
Burlington	85/ 59 0	90/ 60 S	92/ 65 S
Casper	78/ 44 0	82/ 49 PC	66/ 46 T
Charlotte	77/ 63 0.06	77/ 61 PC	80/ 63 PC
Chattanooga	83/ 66 0.05	82/ 64 T	86/ 66 T
Chicago	88/ 67 0	87/ 67 T	88/ 66 T
Cincinnati	84/ 64 0.01	86/ 64 S	86/ 66 S
Cleveland	86/ 62 0	86/ 58 S	87/ 63 S
Colorado Springs	80/ 52 0.04	73/ 51 C	77/ 49 C
Columbus	86/ 64 0	87/ 63 S	90/ 63 S
Concord, N.H.	76/ 42 0	85/ 51 S	90/ 56 PC
Dallas-Ft. Worth	88/ 69 0.05	89/ 70 S	90/ 69 T
Denver	81/ 51 0.02	79/ 52 T	73/ 52 T
Des Moines	89/ 65 0	87/ 67 C	88/ 66 PC
Detroit	88/ 61 0	88/ 59 S	88/ 63 S
El Paso	98/ 73 0	95/ 69 S	89/ 69 PC
Fargo	87/ 62 0.15	87/ 65 C	86/ 67 T
Hartford	78/ 44 0	81/ 49 S	88/ 59 PC
Honolulu	86/ 74 0	86/ 74 PC	84/ 74 C
Houston	87/ 69 0.05	88/ 70 T	90/ 70 S
Indianapolis	87/ 65 0.02	87/ 66 T	88/ 68 T
Jackson	87/ 64 0	87/ 64 C	88/ 67 PC
Jacksonville	87/ 68 0	81/ 69 T	81/ 68 T
Kansas City	87/ 66 Tr	88/ 66 PC	89/ 68 T
Key West	87/ 79 0	87/ 79 T	85/ 78 T
Las Vegas	91/ 67 0	86/ 67 S	91/ 70 S
Lexington	85/ 64 0.01	86/ 64 T	87/ 64 T
Little Rock	90/ 67 0	91/ 68 PC	90/ 69 S
Los Angeles	68/ 55 0	66/ 57 Sh	70/ 57 C
Louisville	86/ 66 0.04	86/ 66 T	88/ 68 T
Memphis	88/ 68 0	88/ 70 PC	88/ 71 T
Miami	87/ 76 0.26	86/ 75 T	82/ 73 T
Milwaukee	79/ 62 0	81/ 64 T	83/ 61 T
Mpls.-St. Paul	82/ 67 0.21	86/ 67 T	88/ 67 T
Nashville	86/ 66 0	85/ 66 T	85/ 67 T
New Orleans	86/ 71 0	87/ 72 PC	88/ 73 T
Norfolk	65/ 62 0.10	68/ 63 Sh	72/ 64 PC
Oklahoma City	82/ 63 0	83/ 65 C	81/ 65 T
Omaha	86/ 66 0.05	89/ 67 T	86/ 67 T
Orlando	90/ 71 0	86/ 71 T	84/ 69 T
Philadelphia	76/ 54 0	79/ 58 S	88/ 62 S
Phoenix	99/ 69 0	92/ 69 S	92/ 71 S
Pittsburgh	84/ 57 0	85/ 55 S	87/ 59 S
Portland, Me.	66/ 47 0	73/ 54 S	80/ 60 S
Portland, Ore.	70/ 49 0	70/ 50 PC	73/ 50 PC
Providence	69/ 45 0	74/ 52 S	84/ 57 C
Raleigh	75/ 62 0.07	76/ 60 PC	81/ 63 Sh
Reno	78/ 52 0.09	73/ 51 T	78/ 50 C
Richmond	69/ 59 0.06	74/ 60 C	79/ 62 PC
Rochester	83/ 58 0	85/ 57 S	87/ 58 S
Sacramento	75/ 53 0	78/ 51 PC	83/ 52 S
Salt Lake City	85/ 59 0	82/ 60 T	74/ 58 T
San Antonio	88/ 68 0	88/ 69 S	89/ 69 PC
San Diego	65/ 60 0.03	66/ 60 Sh	66/ 60 C
San Francisco	65/ 53 0	65/ 53 PC	66/ 52 PC
San Jose	71/ 54 0	71/ 50 PC	74/ 50 PC
San Juan	85/ 76 0.25	90/ 77 C	92/ 77 Sh
Seattle	63/ 47 0	62/ 48 PC	69/ 48 C
Sioux Falls	86/ 65 0.15	88/ 68 T	86/ 68 T
Spokane	77/ 50 0	72/ 48 PC	72/ 50 PC
St. Louis	90/ 69 0	91/ 70 PC	88/ 70 T
St. Thomas	88/ 78 0.03	89/ 79 PC	89/ 80 PC
Syracuse	86/ 58 0	89/ 58 S	90/ 62 S
Tampa	89/ 74 0	87/ 73 T	85/ 72 T
Toledo	91/ 64 0	89/ 56 S	90/ 62 S
Tucson	95/ 63 0	90/ 58 S	89/ 62 PC
Tulsa	85/ 65 0	86/ 66 T	86/ 66 T
Virginia Beach	67/ 63 0.11	67/ 64 Sh	70/ 64 PC
Washington	77/ 57 0.02	78/ 61 PC	84/ 62 PC
Wichita	85/ 65 0.04	84/ 63 T	82/ 65 T
Wilmington, Del.	79/ 50 0	79/ 57 S	85/ 60 S

Africa	Yesterday	Today	Tomorrow
Algiers	72/ 57 0.32	74/ 56 T	79/ 60 S
Cairo	91/ 71 0	98/ 78 S	103/ 84 C
Cape Town	58/ 53 0.61	64/ 54 S	69/ 50 PC
Dakar	86/ 77 0	86/ 75 W	83/ 74 PC
Johannesburg	67/ 47 0	63/ 38 T	62/ 41 S
Nairobi	77/ 58 0.09	75/ 58 PC	75/ 59 Sh
Tunis	75/ 64 0.34	73/ 63 T	74/ 63 T

Asia/Pacific	Yesterday	Today	Tomorrow
Baghdad	98/ 79 0	100/ 77 PC	102/ 75 PC
Bangkok	97/ 79 0.97	96/ 81 T	96/ 81 T
Beijing	77/ 68 0.08	82/ 56 C	95/ 64 PC
Damascus	86/ 55 0	87/ 56 PC	93/ 65 S
Hong Kong	96/ 82 0	95/ 81 T	92/ 83 S
Jakarta	90/ 78 0.29	91/ 77 PC	92/ 77 PC
Jerusalem	76/ 60 0	81/ 64 S	91/ 74 PC
Karachi	93/ 83 0	93/ 84 W	94/ 84 T
Manila	91/ 82 0	90/ 82 T	88/ 81 T
Mumbai	93/ 83 0	94/ 83 S	94/ 83 PC
New Delhi	95/ 75 0.77	92/ 74 PC	95/ 74 C
Riyadh	89/ 82 0.02	99/ 80 PC	102/ 82 PC
Seoul	84/ 64 Tr	83/ 63 PC	81/ 63 PC
Shanghai	81/ 71 0.15	80/ 71 C	85/ 72 Sh
Singapore	89/ 81 0.07	90/ 80 T	89/ 81 T
Sydney	72/ 47 0	72/ 58 PC	77/ 55 PC
Taipei City	86/ 77 0.06	87/ 76 T	83/ 73 R
Tehran	100/ 78 0.02	90/ 73 R	95/ 76 S
Tokyo	75/ 66 0.25	69/ 62 R	74/ 67 PC

Europe	Yesterday	Today	Tomorrow
Amsterdam	57/ 49 0	70/ 50 S	62/ 47 C
Athens	77/ 62 0.06	75/ 64 T	78/ 65 T
Berlin	73/ 45 0	77/ 53 S	73/ 50 S
Brussels	66/ 45 0	76/ 48 S	68/ 45 S
Budapest	78/ 56 0.12	80/ 54 PC	81/ 57 S
Copenhagen	68/ 48 0	70/ 49 PC	68/ 47 S
Dublin	64/ 47 0	63/ 48 PC	66/ 49 S
Edinburgh	64/ 44 0	66/ 49 PC	60/ 44 C
Frankfurt	73/ 52 0	80/ 56 S	81/ 51 S
Geneva	77/ 55 0	72/ 54 T	78/ 55 PC
Helsinki	61/ 39 0.06	65/ 44 PC	56/ 36 PC
Istanbul	75/ 62 0.14	77/ 63 PC	78/ 62 PC
Kyiv	75/ 52 0	74/ 52 PC	79/ 58 S
Lisbon	73/ 56 0	74/ 56 PC	77/ 57 PC
London	64/ 47 0	70/ 48 PC	69/ 48 C
Madrid	73/ 55 0.61	75/ 57 T	69/ 55 T
Moscow	72/ 48 0	62/ 48 R	73/ 51 C
Nice	79/ 66 0	77/ 65 T	76/ 65 T
Oslo	70/ 46 0	76/ 48 S	67/ 41 PC
Paris	73/ 53 0	79/ 58 S	81/ 51 S
Prague	71/ 51 0	74/ 49 S	77/ 50 PC
Rome	79/ 59 0	77/ 59 T	77/ 60 PC
St. Petersburg	59/ 40 Tr	60/ 46 PC	58/ 38 C
Stockholm	64/ 42 0	69/ 44 S	55/ 37 PC
Vienna	75/ 54 0	77/ 51 PC	79/ 55 PC
Warsaw	70/ 54 0	72/ 50 S	79/ 52 S

North America	Yesterday	Today	Tomorrow
Acapulco	91/ 77 0.04	90/ 76 S	90/ 76 S
Bermuda	77/ 71 0.11	77/ 72 R	76/ 70 Sh
Edmonton	73/ 49 0	71/ 51 T	66/ 46 R
Guadalajara	90/ 57 0	93/ 60 S	95/ 59 S
Havana	89/ 72 0	87/ 71 T	87/ 71 T
Kingston	88/ 79 0.12	89/ 81 T	90/ 81 R
Martinique	90/ 76 0.05	90/ 78 R	90/ 78 Sh
Mexico City	81/ 54 0	83/ 59 S	87/ 59 S
Monterrey	91/ 66 0	91/ 70 PC	87/ 70 T
Montreal	80/ 52 0	89/ 63 S	91/ 67 S
Nassau	85/ 76 0.15	84/ 76 Sh	86/ 76 T
Panama City	88/ 76 0.08	87/ 76 R	86/ 76 R
Quebec City	80/ 45 0	88/ 58 PC	91/ 61 PC
Santo Domingo	88/ 74 0.04	89/ 75 C	87/ 76 C
Toronto	81/ 56 0	87/ 63 S	86/ 64 S
Vancouver	60/ 50 0	63/ 48 PC	65/ 49 S
Winnipeg	81/ 60 0.15	80/ 60 PC	86/ 64 T

South America	Yesterday	Today	Tomorrow
Buenos Aires	59/ 52 0	65/ 56 S	66/ 59 PC
Caracas	89/ 74 0.10	90/ 74 T	90/ 75 T
Lima	75/ 68 0	74/ 67 PC	74/ 67 S
Quito	66/ 47 0.31	66/ 47 R	63/ 48 R
Recife	86/ 77 0.17	85/ 75 PC	84/ 76 PC
Rio de Janeiro	73/ 67 0.03	74/ 67 R	77/ 70 PC
Santiago	66/ 45 0	68/ 45 C	66/ 47 PC

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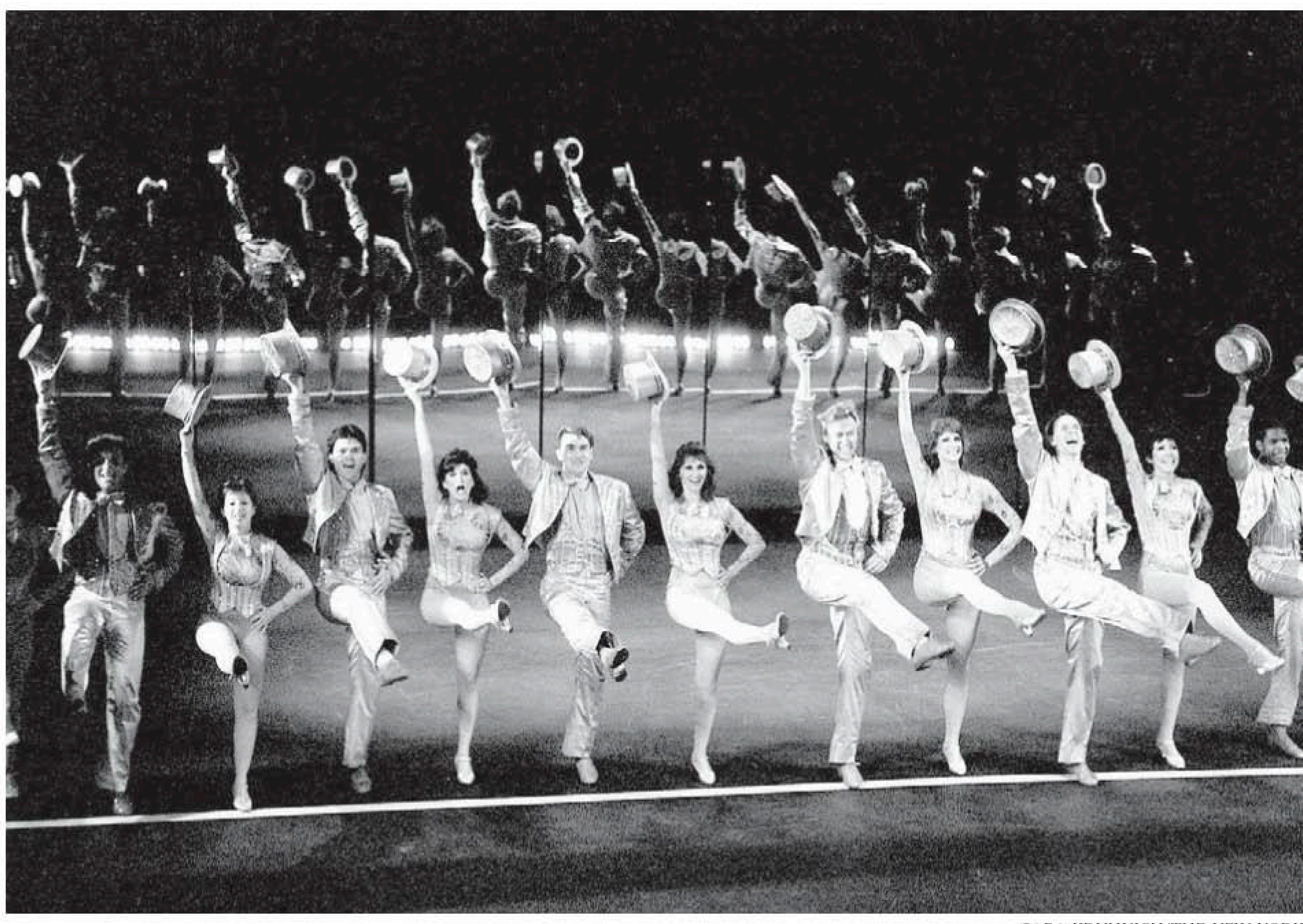
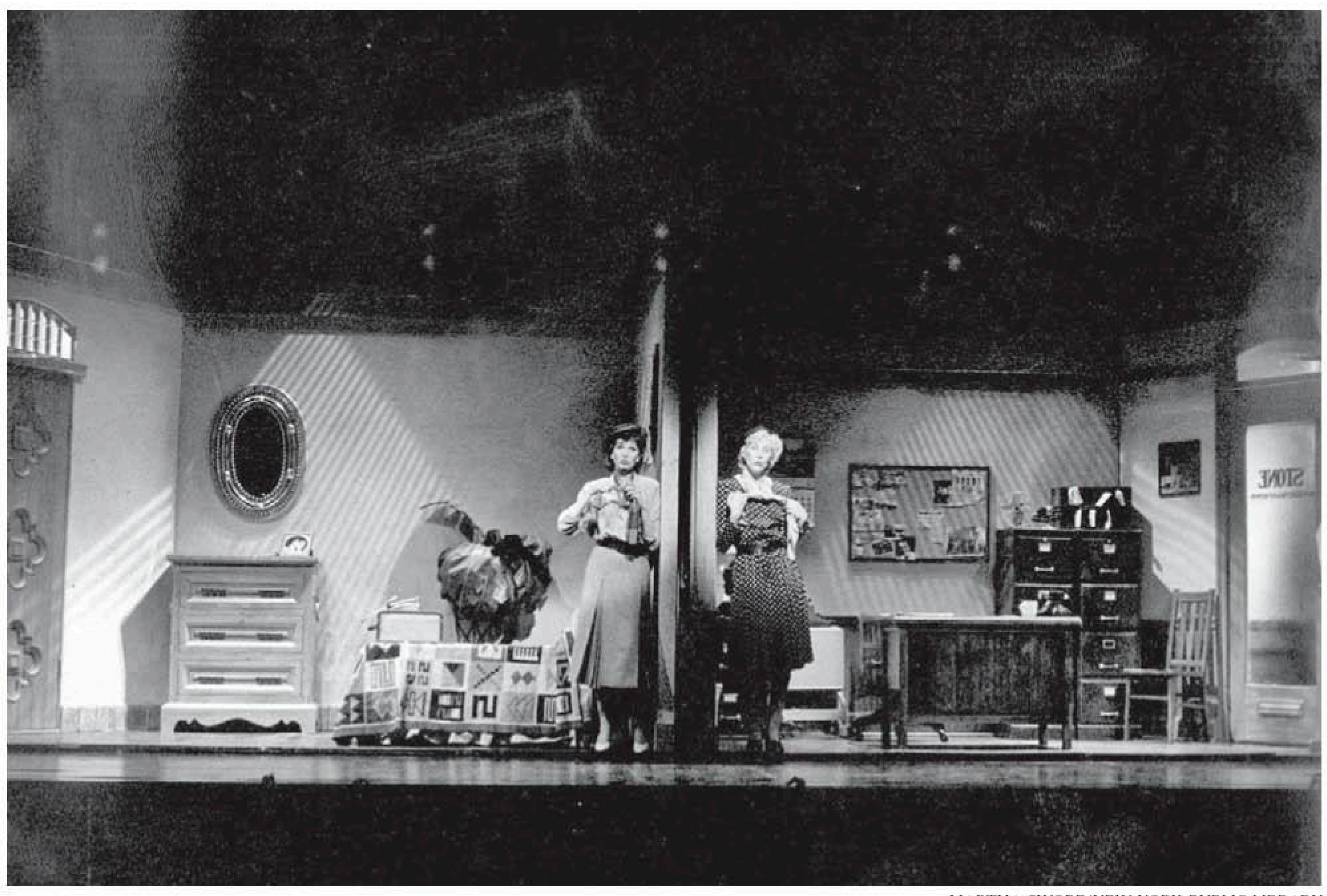


SARA KRULWICH/THE NEW YORK TIMES

"A Chorus Line" on Broadway in 1990. Its set was one of the simplest that Mr. Wagner designed.



MARTHA SWOPE/NEW YORK PUBLIC LIBRARY

"City of Angels," which opened in 1989, had some sequences in color and others in black and white.

Robin Wagner, Savvy Set Designer Who Won 3 Tonys, Is Dead at 89

By RICHARD SANDOMIR

Robin Wagner, the inventive Tony Award-winning set designer of more than 50 Broadway shows, including the 1978 musical "On the Twentieth Century," in which a locomotive appeared to be racing toward the audience with the actress Imogene Coca strapped to the front of it, died on Monday at his home in New York City. He was 89.

His daughter Christie Wagner Lee confirmed the death but said she did not yet know the specific cause. She did not say in what borough he lived.

Mr. Wagner designed sets on Broadway, Off Broadway and for regional theater, for operas and ballets, and, in 1975, for the Rolling Stones' Tour of the Americas. His stage for those concerts was shaped like a six-pointed lotus flower that was raked upward to the back in a delicate curve.

On Broadway, his work included the sets for the transcendent 1968 rock musical "Hair" (in The New York Times, Clive Barnes described a "beautiful junk-art setting") as well as "The Great White Hope," "Jesus Christ Superstar," "42nd Street," "Young Frankenstein," "Jelly's Last Jam," "Dreamgirls" and Tony Kushner's "Angels in America: Millennium Approaches" and "Angels in America: Perestroika."

Mr. Wagner's stage designs could be elaborate or simple, depending on the story and what the director wanted. He viewed scenic design as problem solving.

"When I'm reading the script, I can see it, how it fits together and how you get from one scene to another," he told The Los Angeles Times in 1991. "I guess that's what makes designers designers — they visualize things a certain way."

For the musical "City of Angels," which opened on Broadway in 1989, he created dual color schemes to match the interconnected stories that the show's writer, Larry Gelbart, set in a world of mansions, sound stages and solariums in 1940s Los Angeles. In sequences involving an author who was turning his novel into a screenplay, everything was in color, while those involving a private eye movie character were in black and white, befitting the show's homage to film noir.

SARA KRULWICH/THE NEW YORK TIMES

Robin Wagner and Susan Stroman in 2001 with a model of the set of Mel Brooks's "The Producers."

In his review in The Boston Globe, Kevin Kelly wrote that Mr. Wagner's set design was "brilliant, with flats moving on and off in a rhythm that is nothing if not movie-ish and with a final pull back to a Hollywood sound stage that is Cecil B. De Mille breathtaking."

Mr. Wagner won a Tony Award for "City of Angels," his second for scenic design following one in 1978 for "On the Twentieth Century." He won a third in 2001, for "The Producers," Mel Brooks's hit about a scheming pair who try to make a financial killing by purposely staging a Broadway flop.

One of his most enduring designs, which did not receive a Tony nomination, was his simplest. For "A Chorus Line," the producer Joseph Papp's ultimately long-running musical about dancers auditioning for a Broadway musical, Mr. Wagner's design consisted only of mirrored walls, black velour drapes and a white line on the floor.

Creating memorable visuals for more than 50 Broadway shows.

"That was the result of two years' work of Michael Bennett and I trying to distill things," Mr. Wagner told Playbill in 2007, referring to the director and co-choreographer of the show, which opened on Broadway in 1975. "We started with big things for visualizing scenes, and as we went through the show's workshop period, they got smaller and smaller."

He added, "And then we knew we needed a black box, which represents theater, and that we needed the mirrors, because they represent the dance studio."

Robin Samuel Anton Wagner was born on Aug. 31, 1933, in San Francisco to Jens and Phyllis (Smith-Spurgeon) Wagner. His father, who had immigrated from Denmark, was a maritime engineer and, for a time, the keeper of two lighthouses where the Wagners lived until Robin was 10. His mother had been a pianist in New Zealand before moving to the United States, where she was a homemaker.

As a boy, Robin was enamored of Disney films like "Fantasia" and hoped to be an animator, creating the backgrounds of cartoons, not the characters. "I actually thought I was Pinocchio, trying to find my way into some kind of real life, which I still think I sometimes am," he said in an oral history interview with Columbia University in 1992.

He created comic books in junior high school and, after high school, attended the California School of Fine Arts (later the San Francisco Art Institute) from 1953 to 1954. While there, and after, he worked on set design with theater and opera groups, like the Actor's Workshop of San Francisco; built window displays for a clothing store; and got a paying design job in summer stock with the Sacramento Music Circus.

JOHN HAYNES/BRIDGEMAN IMAGES

A scene from Tony Kushner's "Angels in America: Millennium Approaches" in 1992.

Mr. Wagner moved in 1958 to New York, where he became an assistant to one Broadway designer, Ben Edwards, and then another, Oliver Smith. From 1964 to 1967, he was the set designer for Arena Stage, the renowned regional theater in Washington.

Returning to New York, he designed the sets for "Hair," which Clive Barnes, in The Times, described as "masterly."

George Wolfe, the director who worked with him on several shows, including the "Angels in America" productions, said that Mr. Wagner had a talent for finding the essence of a story. He recalled one of Mr. Wagner's small, but effective, touches on "Jelly's Last Jam," the 1992 musical about the jazz pioneer Jelly Roll Morton.

"Jelly was dying in L.A., and Robin created three jagged neon lines that looked like the graphic of an earthquake," Mr. Wolfe said in a telephone interview. "It was so breathtakingly simple; it was along the lower part of the back wall."

He added, "Just those three lines, you knew it was L.A."

But there was also a complex engineer's side to Mr. Wagner, which was on view with "Dreamgirls," Mr. Bennett's 1981 musical based loosely on the career of the Supremes. Mr. Wagner designed five aluminum, spotlight-studded towers that moved in various configurations to create — with minimal use of props — the illusion that the setting was changing from a nightclub to a recording studio to a Las Vegas show palace.

"And all the lighting bars were basically platforms," Mr. Wagner told Playbill, "so the actors could climb up on those things and fly out, which they did."

Mr. Wagner's "Dreamgirls" design earned him a Tony nomination and one of his six Drama Desk Awards.

His final Broadway credit was for "Leap of Faith," a musical about a fraudulent evangelist, in 2012.

In addition to his daughter Christie, he is survived by his partner, Susan Kowal; another daughter, Leslie Wagner; a son, Kurt; and a granddaughter. His marriages to Joyce Workman and Paula Kauffman ended in divorce.

The train that Mr. Wagner designed for "On the Twentieth Century" was one of his great creations, with its long, elegant, streamlined interior consisting of adjoining compartments that were open on one side to let the characters be seen. Train exteriors that slid in front of the compartments let the audience look at the actors from the outside, after they had peered inside at them.

"This gesture," the architecture critic Paul Goldberger wrote in The Times, "aside from notably enhancing the cinematic quality of the show — nothing is more movie-like than quick cuts from inside to outside — is also a gentle and pleasing play on the traditional description of the stage set as a room in which the fourth wall has been removed."

Deaths

BERGHOLD—William D.
"Billy", died peacefully in Montana on May 25, 2023 in his 85th year. Billy was born and raised in New York, NY, attended Loyola School and graduated from The College of the Holy Cross in Worcester, MA. Billy spent 35 years on the Floor of the NYSE before retiring and devoting his energies to charitable causes which were important to him. He is surivived by his wife of almost 62 years, Joanne Meehan Berghold, with whom he shared a love of Montana, their adopted state, their cherished Ridgebacks, and the adventures of their three children, Mark, David and Kara, and six grandchildren. He is also surivived by his sister, Julie Sykes of New York, NY. A Mass will be offered in Livingston, MT on June 3, 2023. A Mass and reception will be held in New York, NY in the Fall. In lieu of flowers, charitable contributions may be made to Counterpoint, which provides services to adults with disabilities, 116 East Lewis St., Livingston, MT 59047, or to The Stafford Animal Shelter, 3 Business Park Road, Livingston, MT 59047.

BIDERMAN—Burt.
The Board of Trustees of the Fire Island Synagogue mourns the passing of our dear friend and FIS past president, Burt Biderman. May his memory be a blessing.

GLUCK—Sanford.
We note with sorrow the passing of our longtime member, Sanford Gluck and extend sincerest condolences to his bereaved family.
Rabbi Angela Buchdahl
and President
Shonni Silverberg, MD
Central Synagogue
of New York City

GORE—Ronny L.

Ronny L. Gore, passed away peacefully in her sleep on May 29 at Atria Assisted Living in Darien, CT where she had been residing for the past five years — nine weeks after celebrating her 100th birthday on April 6, 2023. Loving and devoted wife of fashion licensing executive Leo Gore who predeceased her in 1998 and mother of legendary singer Lesley Gore who passed away in 2015, she is survived by her son, composer Michael Gore, son-in-law Lawrence D. Cohen, and her family of nieces, nephews and cousins. Prior to residing at Atria, she and husband Leo lived in Frenchman's Creek in Palm Beach Gardens, FL — and before that, in Tenafly, NJ. Known for her exuberant happy spirit, sense of humor and huge warmth, she spread joy to all who knew her, and will be hugely missed! Funeral services to celebrate her life will be at Cedar Park Cemetery, the chapel at The Sanctuary of Abraham and Sarah, in Paramus, NJ on Wednesday, May 31, at 10:45am. To honor her memory, contributions are welcome to a charity of choice.

HINDERSTEIN—Toby (nee Ackerman),
of Boca Raton, Florida died peacefully at age 97 on May 27, 2023. She graduated from New York University in 1947. Toby was widowed in 2009 when her beloved husband of 63 years Lee passed away. She is survived by her sister Marilyn Ackerman Weiss, two daughters, Dale Weiss and Jill Salberg, along with their husbands and her grandchildren and great-grandchildren: Dennis Weiss, Michael Salberg, Jeffrey Weiss, Lindsay Weiss, Jordan Salberg, Adam Salberg, Easton Weiss, Hailey Salberg and Miles Salberg. Funeral will be graveside, Thursday June 1, 11am at Montefiore, Springfield Gardens, Queens, NY. Shiva will be observed at the home of Jill Salberg.

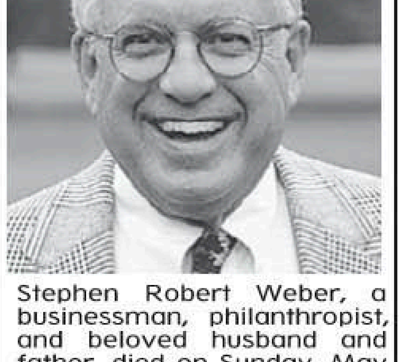
MESTRES—Ricardo.

Ricardo Angelo Mestres, Jr., former Chairman of Sullivan & Cromwell LLP, died peacefully on May 29, 2023, at his home in New York City in the company of his beloved wife, Patricia Hayot. He was 89 years old. Mr. Mestres was born on August 12, 1933, in New York City, the son of Anita (Gwynne) and Ricardo Angelo Mestres. He grew up in Princeton, New Jersey, where his father was the long serving Financial Vice President of Princeton University. He attended Phillips Exeter Academy and Princeton University, graduating with the class of 1955. After Princeton, he served as an anti-submarine warfare officer in the United States Navy. In 1955 he married Ann Farnsworth, who predeceased him in 2018. In 2022, Mestres was married to Dr. Patricia T. Hayot, the former head of The Chapin School in New York City from 2003 to 2020. Following the Navy, Mr. Mestres attended Harvard Law School, graduating cum laude in 1961. Mr. Mestres joined Sullivan & Cromwell in 1961. He became a partner of the Firm in 1968 and served as Chairman of the Firm from 1995 to 2000. He was a Senior Counsel of the Firm at the time of his death. Mr. Mestres' practice consisted principally of advising United States and non-U.S. issuers and their financial advisors in connection with merger and acquisition and corporate restructuring transactions and public offerings and private placements of equity and debt securities. He was a member of the Firm's Mergers & Acquisitions and Corporate and Finance Groups. "Ricardo was a leader of Sullivan & Cromwell for decades," wrote Robert J. Giuffra, Jr. and Scott Miller, the current Co-Chairs of the Firm. "He was revered by generations of our lawyers for his deep commitment to our Firm and our clients." Mr. Mestres was widely known and universally respected as a man of integrity, razor-sharp intellect and extraordinary grace. His commitment to his family, his law firm, his community, and his country was unwavering. Ricardo's unending well of astute wisdom was sought after by all who knew him. In addition to his noteworthy career in law, Mr. Mestres was deeply committed to the cause of education and to the communities in which he lived: New York City and Bay Head, New Jersey - "The Beach" - which he loved. He served as a deacon and trustee of The Unitarian Church of All Souls in New York City and a trustee of Phillips Exeter Academy, where he was a President of the Board of Trustees from 1993 to 1999. He was the founding chair of the board of the Goldman Sachs Philanthropy Fund, on which he proudly served as Chair Emeritus until just before his death. He and his late wife, Ann, were passionate long-time supporters of The Metropolitan Museum of Art. He was a member of the Council on Foreign Relations. Mr. Mestres is survived by his four children with Ann Mestres, their daughter, Laura Westlake (John) and their two daughters, Kara and Erin, of Vancouver, British Columbia; their son, Ricardo Mestres, III (Marischa) and his children, Alex and Carrie (predeceased), of Los Angeles, California; their daughter, Lynn Douglass (Hoby) and their two children, Kimmie and Nick, of Seattle, Washington; and their son, Anthony Mestres and his three children, Oscar, Hugo and Bo Mi, also of Seattle. A celebration of Mr. Mestres' life will be held in the near future at a date and location to be announced. In lieu of flowers, the family suggests that friends make a donation to Phillips Exeter Academy or one or more charities of their choice.

SHEPPE—Margaret S.,
a long time Scarsdale resident, died May 26, 2023 in Scarsdale, NY at the age of 85. Born on April 24, 1938 to Beatrice Bloomingdale Steinhaus and Henry William Steinhaus, she grew up on Elm Ridge Farm in New Rochelle, NY. Margaret graduated cum laude from Pembroke College in Brown University in 1960 where she majored in History. She worked at Time Inc., where she met her husband, the late P. Peter Sheppe. They married on December 2, 1962 and moved to Scarsdale in 1963 where they made lifelong friends. Margaret raised her three children, Jeremy, Laura and Matthew, in Scarsdale and worked at Sybil Wild Travel from 1967 until 1985 when she started her own travel agency, CMR Travel, with two close colleagues. She was a world traveler and enjoyed her career in the travel industry immensely. Margaret was known as a smart, independent woman of great integrity. She adored and was extremely proud of her nine grandchildren and spent as much time with them as possible. She spent her summers in the Adirondacks at a family home on Saranac Lake built by her great-grandfather in 1900 and which always held a very special place in her heart. She was an avid reader, a huge Yankees fan and loved to watch baseball and tennis on TV with her sons and grandsons. Margaret is survived by her children Jeremy Sheppe (Debbie), Laura S. Miller (Paul Diamond), Matthew Sheppe (Julie), nine grandchildren, Emma, Allie, Sam, Peter, Ben, Spencer, Jason, Sophie and Jordan, her sisters Nancy Zisson (William) and Phyllis Steinhaus and many beloved nieces, nephews, grandnieces and grand-nephews. The funeral will be held at Westchester Reform Temple at 10am on Wednesday, May 31, 2023. In lieu of flowers, contributions in Margaret's memory would be welcome to the Scarsdale Public Library or the Scarsdale Volunteer Ambulance Corp.
scarsdalelibrary.org/connect/donations-pledges or:
scarsdalevac.com/donate

SWORDS—Peter Delancey.
The National Center on Philanthropy and the Law (NCPL) at New York University School of Law, and the Nonprofit Forum, a program of the NCPL, mourn the passing of Peter Swords, beloved friend and advisor to the NCPL and co-founder of the Nonprofit Forum. Peter was a devoted leader and dedicated supporter of the nonprofit sector, providing seemingly unlimited amounts of time, energy, and expertise as a teacher, nonprofit executive, and mentor. The NCPL, the Nonprofit Forum, and the communities they serve are grateful for Peter's extraordinary life. His impact on the nonprofit sector is prodigious, immeasurable, and eternal. We will miss him. We join Peter's family and friends in mourning his loss.

WEBER—Stephen.



Stephen Robert Weber, a businessman, philanthropist, and beloved husband and father, died on Sunday, May 28. A longtime Boston resident, he was 85 and passed peacefully in his sleep at his summer home in Stockbridge, MA. He was born in Kansas City, MO, the son of the late Bertram and Leah Weber. He attended Southwest High School in Kansas City, and graduated as an engineering major from the University of Pennsylvania in 1960. Two years later, he earned an MBA from the Harvard Business School, where he was a Baker Scholar. He began his business career at Waddell & Reed, moved on to G.S. Grumman & Associates, and then to Jennison Associates. He returned to Grumman, which became Cowen & Company and then SG-Cowen Securities Corp. He retired as managing director of SG-Cowen in 2005. A generous benefactor of the Boston Symphony Orchestra, he was elected a Trustee of the BSO in 2002 and served as vice chair from 2010 to 2015. In 2017, he became a Life Trustee. He had a particular love for Tanglewood, the BSO's summer home in the Berkshires, just down the road from his home in Stockbridge. In addition to classical music, he enjoyed contemporary art, and served as Board Chair of the Institute of Contemporary Art at the University of Pennsylvania. He was an avid fan of Boston professional sports teams. He leaves his wife of 55 years, Dr. Dorothy Altman Weber; daughter, Meredith Weber Blitstein and son-in-law Alexander Blitstein of Somerville; and brother-in-law, Dr. Lawrence K. Altman of New York City. Funeral services will be held on Friday, June 2, 2023 at 1pm at Levine Chapels (470 Harvard St, Brookline, MA). Burial will follow at the Sharon Memorial Park in Sharon, MA. Visiting hours will be held at the Weber residence in Boston: after graveside services until 8pm on Friday; on Saturday from 7:30pm- 9:30pm; and on Sunday from 1pm-4:30pm and 7-9pm. They will continue at the Weber residence in Stockbridge from 4-8pm on Monday, Tuesday, and Wednesday. In lieu of flowers, contributions may be made to the Boston Symphony Orchestra www.bso.org); Combined Jewish Philanthropies (www.ma.cjp.org); and 18 Degrees - Kids 4 Harmony (www.18degreesma.org/how-we-help/kids-4-harmony

ANNOUNCEMENTS OF DEATHS MAY BE TELEPHONED FROM WITHIN NYC TO 212-556-3900; OR OUTSIDE NYC TOLL FREE 1-800-458-5522; OR SENT BY EMAIL TO NYTIMES@CLASSIFIEDSPLUS.COM FOR THE FOLLOWING EDITIONS:
Until 4:00 PM the day before for Tuesday through Saturday editions, until 4:00 PM on Friday for Sunday's national edition, until 12:45 PM Saturday for Sunday's New York and late national editions, until 2:00 PM Sunday for Monday's editions. Photos must be submitted by noon the day prior to publication Tuesday through Friday.

Deaths

Berghold, William
Biderman, Burt
Gluck, Sanford
Gore, Ronny
Hinderstein, Toby
Mestres, Ricardo
Sheppe, Margaret
Swords, Peter
Weber, Stephen
Wexler, David

WEXLER—David,
a founder of Tourneau Corner, the preeminent luxury watch retailer, peacefully passed away at his home in Bal Harbour, FL on May 29, 2023, at the age of 94. He also maintained a residence in New York City. David was born in New York City on November 13, 1928, to parents Morris and Eugenia Wexler. Eugenia and Morris, who was a watchmaker by trade, emigrated from Ukraine in 1923 with David's two older brothers, Harry and Lou. From a young age, David had a passion for baseball and played for his team, The Red Birds. After attending Stuyvesant High School and New York University, David made the heartfelt decision to leave college during his sophomore year to assist his father and eldest brother, Harry, in managing the family jewelry business, M. Wexler & Sons, located on 34th Street at the corner of 7th Avenue in the heart of Manhattan. In 1975, a transformative moment in his entrepreneurial journey arrived when David, together with his brother Harry and nephew Robert, acquired Tourneau, a modest jewelry store nestled on Madison Avenue. Their shared vision led to the birth of The Tourneau Time Machine, an iconic flagship establishment that graced the corner of Madison Avenue and 57th Street in 1997. Boasting three floors of exquisite timepieces and a captivating watch museum, The Time Machine became a testament to the Wexler family's passion for horology. A significant chapter unfolded in 2006 when the family made the difficult decision to sell a majority stake in the company to a private investor. At that juncture, Tourneau had blossomed into a prestigious enterprise comprising over 30 Tourneau and Tourneau Watch Gear stores across the United States, the Caribbean, and China. David's personal life was a testament to love and devotion. He shared a blissful union of 52 years with his beloved wife, Phyllis (Michaels). In the face of Phyllis' challenging battle with chronic kidney disease, David selflessly dedicated countless hours to her care, rarely leaving her side. Together, they were blessed with two children and six cherished granddaughters. Outside of his professional endeavors, David found solace and joy in pursuits such as playing bridge, ardently supporting the New York Yankees, and indulging his lifelong passion for jazz. Louis Armstrong was his most esteemed musician. David leaves behind a cherished legacy, survived by his adoring children, Drs. Eugene and Patricia Wexler, Fran and Brian Saltz; his granddaughters Melinda, Perri, Samantha, Jane, Bailey, and Katy; and two great-grandsons, Cooper and Harry, whose lives he enriched immeasurably. Additionally, he leaves behind his devoted wife and companion of 21 years, Sonya Fish Wexler, nee Rubin, who brought light and love into his life during their shared journey. Funeral to be held at gravesite in Mount Hebron Cemetery on Thursday, June 1, 2023.

In Memoriam

GREENBERG—Henry "Hank".
Dec. 1, 1927 to May 31, 2016
Your love and wisdom continue to guide our lives. We think of you and miss you every day.
Our Love, Roz, Bonnie, Randy and Amy

HOLLEMAN—Julia.

Dec. 1, 1982 - May 31, 2018.
Kind, witty, sardonic; Writer, feminist, world traveler, rock climber, axe thrower; Loving and greatly beloved daughter, partner, sister, aunt, friend. Shenanigans. Theater. Same thing. Forever.

KLEIN—Barry.
Gone too long. I take you everywhere I go. XXXOOO
Love, SK

Opinion

The New York Times

DAMON WINTER/THE NEW YORK TIMES

EDITORIAL

FIRST, PASS THE DEBT LIMIT DEAL. THEN, FIND A WAY TO END THE DRAMA.

The Editorial Board
A group of opinion journalists whose views are informed by expertise, research, debate and certain longstanding values. It is separate from the newsroom.

NO ONE walked away satisfied by the agreement reached this weekend to raise the debt ceiling: House Speaker Kevin McCarthy did not win the most destructive cuts sought by the right, and the Democratic proposals to raise revenue never seriously entered the conversation. Yet with the risk of ruinous economic default less than a week away, Congress should pass this agreement as quickly as possible.

The agreement reached by Mr. McCarthy and President Biden would suspend the debt ceiling until Jan. 1, 2025. Mr. Biden can, as the nation should, feel relief over this outcome. He also should feel a sense of urgency to make sure such a partisan impasse never repeats itself.

Mr. Biden had said he would not negotiate over the debt ceiling, which limits federal borrowing after money has been appropriated, and he had demanded that Congress raise it without conditions. The House responded by approving a bill to raise the ceiling for a year in exchange for stringent cutbacks on nondefense spending. That bill would have undone many of the president's signature achievements and ended benefits for millions of people who get their health insurance through Medicaid, as well as those who rely on food and cash assistance.

As the deadline for the nation's first credit default grew closer — the Treasury Department now says it will run out of money on Monday — Mr. Biden set aside his earlier position and began closed-door negotiations with Mr. McCarthy over those demands.

The final agreement reflects this one-sided bargaining, with Mr. McCarthy refusing to truly entertain any of the Democrats' proposals to raise revenue: None of the 2017 Trump tax cuts, which added $1.8 trillion to the deficit through 2029 for the benefit of corporations and the wealthy, would be rolled back. Republicans rejected the elimination of the carried-interest loophole, which benefits hedge fund managers and private equity funds, and the end to fossil fuel tax subsidies that Mr. Biden proposed in his 2024 budget.

In fact, no measures to raise revenues were included; the deal is entirely about cutting spending. Reducing the national debt is an important long-term goal. A much more responsible form of fiscal discipline is to collect the taxes that are owed, to make considered spending cuts where appropriate and to reverse tax cuts that solely benefit the wealthy.

The details of the agreement, released on Sunday, show that it is a watered-down version of the Republican wish list. Spending on most domestic programs in the 2024 fiscal year would stay at about the same level as 2023 and grow by 1 percent in 2025. That is effectively a cut over both years, given the pace of inflation and the potential for an economic downturn hovering. (Medicare and Social Security would not be affected.)

Under the deal, the Pentagon would be allowed to grow, as well as veterans' programs. The two-year cap would shortchange many important investments in education, housing, infrastructure and disease prevention. It is a significant improvement, however, from the drastic cuts proposed in Mr. McCarthy's bill — $860 billion compared with $3.2 trillion over a decade — and is roughly in line with what might have been expected in regular budget negotiations with the House.

That price was likely inevitable when Democrats lost the chamber last year and failed to raise or eliminate the debt ceiling during the lame duck session.

The White House should have insisted that military and domestic spending be held at the same rate of change, following a pattern set during the Obama administration. At least the military budget in this agreement would be at roughly the same level that Mr. Biden proposed in his 2024 budget. The deal also includes a helpful mechanism that would make it difficult for Republicans to spend less on domestic programs or more on the military when the time comes to write appropriation bills this year.

The most unfortunate aspect of the agreement is the change to eligibility for nutrition assistance, popularly known as food stamps, and the cash welfare program called Temporary Assistance for Needy Families. Though virtually every study has shown that work requirements for these benefits are not effective inducements to employment, Republicans were willing to let the government default on its debt if they didn't get them. During the talks, Mr. Biden rejected the strict new work requirements for people on Medicaid, but he agreed to changes in the other two programs.

Biden should take steps to ensure such a partisan impasse is never repeated.

Under this concession, people 50 to 54 years old without dependents would be limited to three months of food stamps every three years unless they meet new work requirements, which the Center on Budget and Policy Priorities said would affect hundreds of thousands of adults. State requirements for people who receive cash assistance from the TANF program would also be tightened. The only good news here is that, for the first time, the food stamp program would not subject homeless people, veterans or young adults formerly in foster care to time limits, under an agreement won by Mr. Biden.

One of the most nonsensical Republican demands was to cut $80 billion in new funding for the Internal Revenue Service to hire investigators to reduce tax cheating. According to the Congressional Budget Office, the I.R.S. expansion would reduce the budget deficit because it would bring in new tax revenue. Republicans refused to reduce the deficits by any means other than cutting spending. Mr. Biden agreed to reduce the new I.R.S. spending by about $21 billion over two years, though the money may be moved to the general fund to reduce the impact of the new spending caps.

The blunt instrument of the debt ceiling allowed this standoff and its concessions. With Republicans in control of the House, Democrats in Congress have given up their path to change this for now. The president seemed to acknowledge that this month when he told reporters that he'd consider declaring the debt ceiling unconstitutional under the 14th Amendment's debt clause and letting the courts decide whether he is right. "When we get by this, I'm thinking about taking a look at — months down the road — to see whether, what the court would say about whether or not the — it does work," he said.

If Congress approves this agreement, the threat of default will be over for the next two years. At that point, Mr. Biden and his legal experts need to follow through on his interest in testing a constitutional solution and try to stop the debt crisis from returning in 2025 or thereafter.

For People to Really Know Us, We Must Show Up

Brad Stulberg
A writer on excellence and mental health and the author, most recently, of "The Practice of Groundedness."

A FEW years ago, when I lived in Northern California, I often hiked under old-growth redwoods. The roots of these mammoth trees, stretching some 200 feet into the air above us, run only six to 12 feet deep. Instead of growing down, they grow out, extending dozens of feet to each side, enmeshing themselves with the roots of their neighbors. This is why we never see a lone redwood: They can survive only in a grove, bound together in obligation.

Humans, too, need one another: We are stronger and more robust when enmeshed with others in community. But in our age of autonomy, efficiency, boundaries and self-care, we too often deprioritize, if not overlook altogether, the wellspring of strength and meaning that comes from obligation.

For people to really know us, we need to show up consistently. Over time, what starts out as obligation becomes less about something we *have* to do and more about something we *want* to do, something that we can't imagine living without. The spiritual teacher Ram Dass once wrote that "we're all just walking each other home." But that's only true if we don't constantly cancel our walking plans.

Not canceling plans means, essentially, showing up for one another. If we commit to certain people and activities, if we feel an obligation to show up for them, then it's very likely that we will, indeed, show up. And showing up repeatedly is what creates community.

But building community and cultivating lasting friendships means relaxing boundaries and giving up at least some autonomy and control. This isn't to say we should sacrifice all self-regard. But we could benefit from a bit less focus on ourselves and a bit more focus on making time and space for the messiness of relationships. Many of us did this as children: We showed up for teams and clubs and youth groups, even though some days we were tired and it was a drag.

Community was once built into many people's lives through organized religion. Adults would go to church, synagogue or mosque every week and see the same people over and over again. They would contribute in a way that made them feel good, too — perhaps cooking for a Sunday dinner, raising money for a local charity or rallying the congregation to support another family.

JORDY VAN DEN NIEUWENDIJK

Making the sorts of commitments required when volunteering, say, to host a study group or coach youth baseball or grocery shop for someone who is homebound, puts people in service to others. What is lost in freedom is gained in community and belonging.

Religion still works for those who feel drawn to it. Researchers have found that people who go to religious services repeatedly are healthier and live longer.

In 2016, the Journal of the American Medical Association publication Internal Medicine published the results of a study that surveyed some 75,000 women for 20 years and found that those who attended religious services more than once a week had a 33 percent lower mortality risk compared with those who never attended. The longevity benefits don't owe themselves to what specific god participants were praying to, but to the fact that they felt obligated to show up regularly in a community setting.

But over the last few decades organized religion has been in decline, and nothing has replaced it. That's not a theological concern as much as it's a socio-emotional one. Work relationships go only so far. If you aren't expected anywhere from week to week for something requiring your attendance — outside of your financial obligations — fewer people will miss you.

When you aren't missed, you become lonely. Recent polling data from Morning Consult found that 58 percent of American adults feel lonely. In other words, in a room of 500 people, 290 are lonely, with a whopping 79 percent of young adults reporting feeling lonely.

The answer isn't necessarily to find God but to find ways to be in obligation with others. For example, you could join (or start) a book club or a walking club. You could decide with neighbors or friends to rotate hosting Friday night dinners. You could volunteer in your community to check in on seniors or offer tutoring services in reading. You could join a group working on local trail maintenance or contribute to community gardens. You could help unhoused people to find transitional housing.

Community bonds grow when we live up to our obligations.

The key is that an obligation involves a mutual contract of responsibility and that it lives in pen (not pencil) on your calendar. A hidden cost of smartphones is how easy they've made it to cancel on people — all you have to do is text and profess apologies, and then feel good about having not, at least, left someone waiting. It's as if all the plans we make are forever provisional. If you value friendships and community, schedule time for them as you would any other important meeting.

By definition, obligation is not optional. And therein lies its power: It makes you think twice before opting out. In the moment, canceling plans in the name of boundaries, wanting to be more efficient or taking better care of yourself might feel great. But in the long run, the communities and people to whom we commit ourselves play a central role in what gives our lives joy and meaning.

Of course, there are structural issues that can make it hard for people to take this advice. Unsurprisingly, the Morning Consult data found that 63 percent of adults making less than $50,000 per year felt lonely, which was 10 percentage points higher than those above that threshold. If people are working multiple jobs and struggling to make rent and pay for health care, starting a monthly book club is surely low on their list of priorities.

And yet social connection is a basic need, too. If we want the strength, stability and staying power of a redwood, we'd be wise to enmesh ourselves in obligation with others, and to work toward a society that makes this possible for everyone.

On Humanity's Side in a Divided World

Mirjana Spoljaric

The president of the International Committee of the Red Cross, which is based in Geneva.

YOU are either with us or against us.

This dictum has sorted humans into opposing camps for centuries. Cicero is said to have spoken these words to Julius Caesar. Political leaders across the globe still use them to rally support.

With great-power tensions rising and wars raging, the idea of neutrality these days may seem to many people anachronistic at best and amoral at worst. But we must make space for staying neutral to preserve our own humanity. Today, there are a great many places where neutral humanitarian action is under grave threat.

Taking sides in conflict is a natural impulse. It is also something that my organization, the International Committee of the Red Cross, cannot do. If we did, it wouldn't be possible to provide humanitarian assistance to people across the world's most contentious theaters of armed conflict.

Here's the problem: Civilians affected by armed conflict — whether in Ukraine, Sudan or Syria — are not always receiving the assistance they deserve. Worse, they're being injured and killed in the crossfire or when combatants violate the laws of war.

The horrors of the Second World War led all the world's nations to agree to the wartime protections mandated in the Geneva Conventions. Building on centuries-old rules of war, they seek to minimize human suffering by prohibiting, for example, rape, torture or executions of prisoners of war.

The laws of war exist to restrain humankind's worst instincts because these barriers to brutality are a means to preserving pathways to peace.

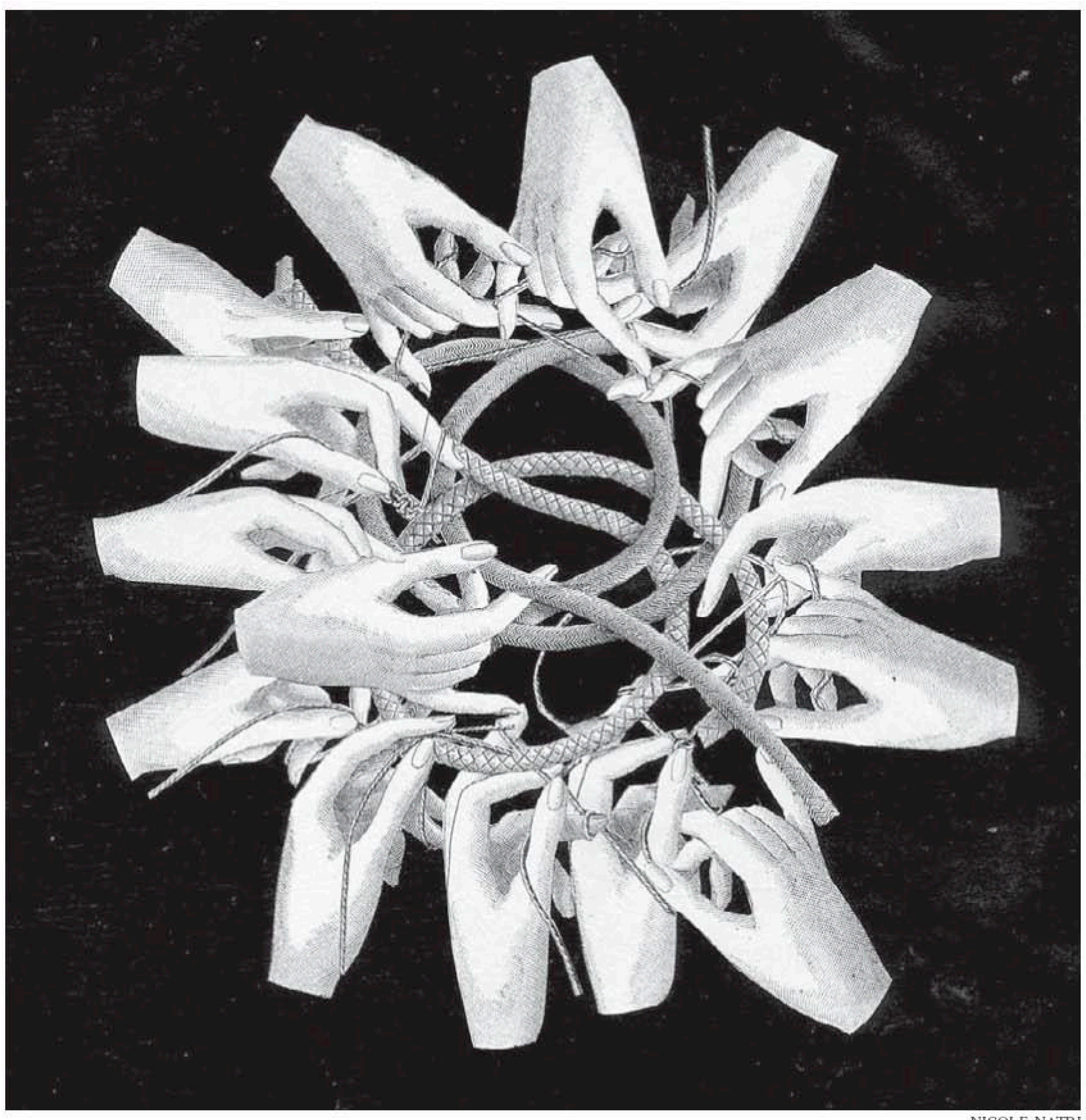
The Geneva Conventions specifically name the International Committee of the Red Cross to carry out wartime tasks. But whenever parties have not adhered to these laws, our teams have had less access to civilians in need and to prisoners of war than they should.

A neutral humanitarian body is a distinct feature of the international system, without which the whole system is weaker. The core values enshrined in international humanitarian law, universally agreed upon nearly 75 years ago, protected civilians, soldiers and prisoners of war back then. And they do so today.

What is the value of a neutral, impartial body dedicated to helping victims of war?

In the armed conflict between Russia and Ukraine, the Red Cross has visited hundreds of prisoners of war on both sides. (We haven't visited all, and we keep working to be able to do so.) This work is possible only because of our commitment and adherence to neutrality — seeking a constructive dialogue with all the parties that can improve the situation of victims of armed conflicts. This requires building trust over time. It benefits individual prisoners and their families on both sides.

The same approach allowed us to continue our operations in Ethiopia during the conflict in Tigray, where we've delivered medicine to depleted clinics. In Syria, it means we have been able to deliver food and medicine to desperate communities for over a decade. In April, our teams transported nearly 1,000 detainees from all sides of the Yemen conflict back home.



NICOLE NATRI

The Red Cross, like other aid groups, is effective because of its neutrality.

Our neutrality allows us to visit detainees at Guantánamo Bay, and it allowed us to check on the health of a captured American pilot in Somalia in 1993 in the incident known as "Black Hawk Down."

Being perceived as unbiased toward adversaries in a conflict allows us to operate more safely and effectively in the territories they control. By consistently considering the ways that words and actions might influence perceptions of neutrality, the Red Cross seeks to avoid giving belligerents a pretext to refuse, block or hinder our work.

That work might include coordinating with parties to negotiate safe passage for civilians, as we did last year in Ukraine, action that nearly always requires the cooperation of both sides. It includes facilitating the exchange of remains of fallen combatants, as we long did in Afghanistan. It also allows us to share news with family members separated by violence as we do in places like South Sudan and Colombia.

Our neutrality is also often misunderstood. It is a means to render aid based on needs; it does not mean complacency in the face of suffering due to war crimes and other violations of law. We share our views on these violations and their harmful effects in direct and confidential dialogue with authorities. This approach, our experience shows, is more likely to lead to an eventual positive outcome while preserving access to those in need.

Not everyone needs to be neutral. But nations need to respect the space for humanitarian neutrality. When the world takes sides, we side with humanity. The world is a better place for it.

LETTERS

The Twists in the Long Debt Drama

TO THE EDITOR:

Re "Agreement Is Reached to Increase Debt Limit, With Cuts in Spending" (front page, May 28):

The Republicans have done it again. They're putting the onus on the needy, the poor, but giving the wealthy a free ride. Many of the needy will have to work in order to receive benefits.

Additional funding for the I.R.S. to crack down on tax cheats has been reduced. That, in effect, means it's less likely the very wealthy will be audited. Beyond that, there will be no income tax increases, which further helps the wealthy.

So rather than pursuing the wealthy to pay their fair share, the G.O.P. is cutting costs on the backs of those who can least afford it.

Heartless people, those Republicans.

MARSHALL COSSMAN
GRAND BLANC, MICH.

TO THE EDITOR:

Regarding the framework agreement negotiated between President Biden and Speaker Kevin McCarthy, the fact that both the hard-right Freedom Caucus of the G.O.P. and the progressives on the left are howling in outrage means that it must be a reasonable and possibly good deal for all the rest of us, the American middle.

ROBERT S. CARROLL
STATEN ISLAND

TO THE EDITOR:

Once again, we have been subjected to last-minute brinkmanship in the debt limit drama series that never seems to end. The outcome is still uncertain, subject to passage by Congress, and even then, would extend the limit only to just past the next presidential election.

Everyone is sick and tired of this political gamesmanship, which realistically achieves nothing. Many have argued for the elimination of the debt limit. However, neither party has the political wherewithal to make this happen.

Perhaps a middle-of-the-road approach may be doable. Why not place a cap on the amount of the debt limit increase? It could be a set percentage, or tied to the inflation rate. Anything above that would require congressional approval and would have to be considered at the time of approving the budget.

Maybe this would help reduce the drama and tension around this issue.

SUBIR MUKERJEE
OLYMPIA, WASH.

TO THE EDITOR:

Re "Biden Seeks to Woo Allies on Debt Deal," by Peter Baker (news analysis, front page, May 29):

President Biden was faced with a hostage negotiation. All the hostages were freed and he paid only a small portion of the ransom demand. To me that's victory.

ISAIAH ROTER
BERKELEY, CALIF.

TO THE EDITOR:

Peter Baker writes that the debt deal "bolsters President Biden's argument that he is the one figure who can still do bipartisanship in a profoundly partisan era," adding, "But it comes at the cost of rankling many in his own party."

I think it is called running for re-election . . . or anything for a vote.

CATHLEEN MEEHAN
NEWTOWN, CONN.

TO THE EDITOR:

While I know we're supposed to cheer bipartisanship, bipartisan disregard for the poor is, once again, highlighted by a debt deal that piles new burdens upon society's least fortunate.

BRENDAN WILLIAMS
SOMERSWORTH, N.H.

TO THE EDITOR:

President Biden's compromise with Speaker Kevin McCarthy would leave the world economy a potential hostage to MAGA extortionists in Congress when the clock again runs out on the debt ceiling in 2025.

For that reason, regardless of this year's legislative outcome, Democrats should immediately begin efforts to adjudicate the 14th Amendment's relevance, to offer the Federal Reserve a trillion-dollar platinum coin and to push the issuance of perpetual bonds.

DONALD MENDER
RHINEBECK, N.Y.

COLUMNIST | BRET STEPHENS

Turkey's Election Is a Warning About Trump

HANNAH McKAY/REUTERS

"THE TOTALITARIAN PHENOMENON," the French philosopher Jean-François Revel once noted, "is not to be understood without making an allowance for the thesis that some important part of every society consists of people who actively want tyranny: either to exercise it themselves or — much more mysteriously — to submit to it."

It's an observation that should help guide our thinking about the re-election this week of Recep Tayyip Erdogan in Turkey. And it should serve as a warning about other places — including the Republican Party — where autocratic leaders, seemingly incompetent in many respects, are returning to power through democratic means.

That's not quite the way Erdogan's close-but-comfortable victory in Sunday's runoff over the former civil servant Kemal Kilicdaroglu is being described in many analyses. The president, they say, has spent 20 years in power tilting every conceivable scale in his favor.

Erdogan has used regulatory means and abused the criminal-justice system to effectively control the news media. He has exercised his presidential power to deliver subsidies, tax cuts, cheap loans and other handouts to favored constituencies. He has sought to criminalize an opposition party on specious grounds of links to terrorist groups. In December, a Turkish court effectively barred Erdogan's most serious prospective rival, Mayor Ekrem Imamoglu of Istanbul, from politics by sentencing him to prison on charges of insulting public officials.

Then, too, Kilicdaroglu was widely seen as a colorless and inept politician, promising a return to a status quo ante that many Turks remember, with no fondness, as a time of regular economic crises and a kind of repressive secularism.

All of this is true, as far as it goes, and it helps underscore the worldwide phenomenon of what Fareed Zakaria aptly calls "free and unfair elections." But it doesn't go far enough.

Turkey under Erdogan is in a dreadful state and has been for a long time. Inflation last year hit 85 percent and is still running north of 40 percent, thanks to Erdogan's insistence on cutting interest rates in the teeth of rising prices. He has used a series of show trials — some based in fact, others pure fantasy — to eviscerate civil freedoms. February's earthquakes, which took an estimated 50,000 lives and injured twice as many, were badly handled by the government and exposed the corruption of a system that cared more for patronage networks than for well-built buildings.

Under normal political expectations, Erdogan should have paid the political price with a crushing electoral defeat. Not only did he survive, he increased his vote share in some of the towns worst hit by, and most neglected after, the earthquakes. "We love him," explained a resident quoted in The Economist. "For the call to prayer, for our homes, for our headscarves."

That last line is telling, and not just because it gets to the importance of Erdogan's Islamism as the secret of his success. It's a rebuke to James Carville's parochially American slogan, "It's the economy, stupid." Actually, no: It's also God, tradition, values, identity, culture and the resentments that go with each. Only a denuded secular imagination fails to notice that there are things people care about more than their paychecks.

There is also the matter of power. The classically liberal political tradition is based on the suspicion of power. The illiberal tradition is based on the exaltation of it. Erdogan, as the tribune of the Turkish Everyman, built himself an aesthetically grotesque, 1,100-room presidential palace for $615 million. Far from scandalizing his supporters, it seems to have delighted them. In it, they see not a sign of extravagance or waste, but the importance of the man and the movement to which they attach themselves and submit.

All this is a reminder that political signals are often transmitted at frequencies that liberal ears have trouble hearing, much less decoding. To wonder how Erdogan could possibly be re-elected after so thoroughly wrecking his country's economy and its institutions is akin to wondering how Vladimir Putin appears to retain considerable domestic support in the wake of his Ukraine debacle. Maybe what some critical mass of ordinary Russians want, at least at some subconscious level, isn't an easy victory. It's a unifying ordeal.

Which brings us to another would-be strongman in his palace in Palm Beach. In November, I was sure that Donald Trump was, as I wrote, "finally finished." How could any but his most slavish followers continue to support him after he had once again cost Republicans the Senate? Wouldn't this latest proof of losing be the last straw for devotees who had been promised "so much winning"?

Erdogan's manifest failures as a leader didn't stop his re-election.

Silly me. The Trump movement isn't built on the prospect of winning. It's built on a sense of belonging: of being heard and seen; of being a thorn in the side to those you sense despise you and whom you despise in turn; of submission for the sake of representation. All the rest — victory or defeat, prosperity or misery — is details.

Erdogan defied expectation because he understood this. He won't be the last populist leader to do so.

What 'Succession' Tells Us About America

TO THE EDITOR:

Re "How 'Succession' Busts One of America's Most Cherished Myths," by Elizabeth Spiers (Opinion guest essay, nytimes.com, May 20):

Capturing the nuances of the "American dream" and the realities of American life, Ms. Spiers deftly addresses the myths and practices that drive status in this country and enable economic inequality and exploitation.

Whether striving, achieving or sustaining, the class structures and the beliefs in which they are embedded throughout American culture are replicated in every town and city as well as in the bloated billionaire class.

As a retired anthropologist, I find her analysis not only insightful but also speaking truth to power. Using the characters in a popular series she has described class in America, and the beliefs that drive social behavior and account for divisive outcomes at many levels of American society.

BEVERLY J. STOELTJE
BLOOMINGTON, IND.

The writer is professor emerita of anthropology at Indiana University.

TO THE EDITOR:

I'm sorry that Elizabeth Spiers has such a cynical view of Americans, who, she says, love "money and power" and "on some level we think having them is an indication that you deserve them."

How can she generalize about an entire population? Some Americans surely fall into this category, but just as surely many others, perhaps a majority, do not. And it's a bit arrogant of Ms. Spiers to evidently believe she is among the enlightened few who can see Americans for who they really are.

PETER SAMSON, ORANGE, VA.

TO THE EDITOR:

Re "'Succession' Series Finale Recap: The Dotted Line" (nytimes.com, May 28):

Noel Murray's piece on the finale of HBO's "Succession" ends by noting the poignancy of the scene in which the four siblings watch a home video of a small dinner party hosted by their father shortly before his death. Mr. Murray wrote that at the dinner "Karl sings a Scottish folk song."

In fact, it is the song "Green Grow the Rashes O," written by Robert Burns in 1783, and, of the two verses that are sung, one could serve as the epigraph for the entire show:

The warl'y race may riches chase,
An' riches still may fly them, O
An' tho' at last they catch them fast,
Their hearts can ne'er enjoy them, O.

LEWIS BREMNER
CAMBRIDGE, ENGLAND

TO THE EDITOR:

Re "'Succession' Nailed the Unreal Way We Live Now," "'Succession' Is Over. Why Did We Care?" and others:

Why on earth is the conclusion of "Succession" worthy of so many articles in The Times? For God's sake.

LAWRENCE GINSBERG
HOUSTON

A.I., in Perspective

TO THE EDITOR:

Re "Microsoft Calls for Rules to Minimize Risks of A.I." (Business, May 26):

It is important for nontechnical A.I. users to remember that this is a software program. It is not received wisdom from the Almighty.

Any software program has bugs and built-in biases. These programs are very good at surveying what has been done in the past and showing it in the present. They can assemble it in ways suggested by their prompts, but *they are not creative beings.*

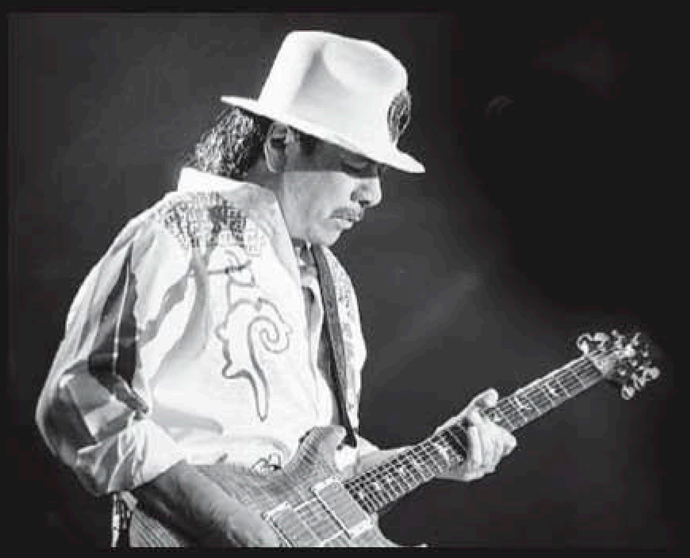
A.I. results must always be reviewed by the user for suitability and relevance. They are not very good at catching their own mistakes. Because they are software-based, they can and will be hacked.

BRUCE HIGGINS, SAN DIEGO

LET THE CANARY SING
+ PERFORMANCE BY CYNDI LAUPER
June 14th | 8pm
Beacon Theatre

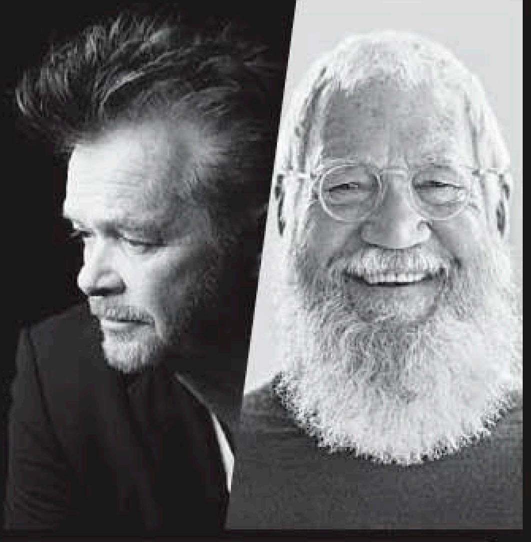
FOR KHADIJA
+ PERFORMANCE BY FRENCH MONTANA
June 16th | 8pm
Beacon Theatre

CLOSING GALA: A BRONX TALE
June 17th | 3pm
Beacon Theatre



CARLOS
+ PERFORMANCE BY CARLOS SANTANA
June 17th | 8pm
Beacon Theatre

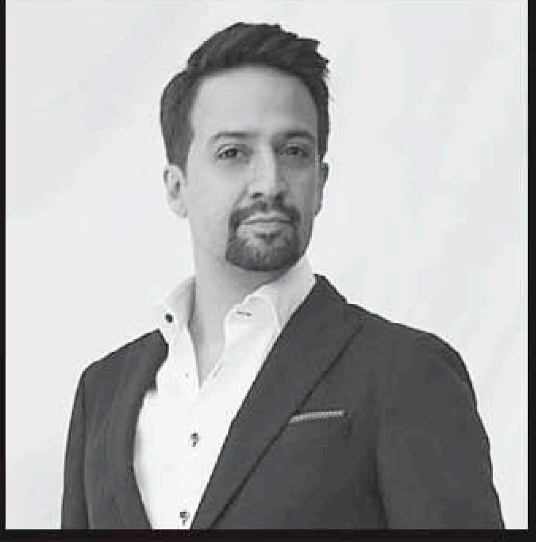
TRIBECA FESTIVAL



STORYTELLERS: JOHN MELLENCAMP WITH DAVID LETTERMAN
June 8th | 6pm
OKX Theater at BMCC TPAC

CENTERPIECE GALA: ELEMENTAL
June 10th | 2pm
OKX Theater at BMCC TPAC

STORYTELLERS: JANE FONDA WITH ROBIN ROBERTS
June 10th | 5pm
The Indeed Theater at Spring Studios



STORYTELLERS: LIN-MANUEL MIRANDA AND ROSIE PEREZ
June 13th | 6pm
OKX Theater at BMCC TPAC

STORYTELLERS: BILLY PORTER
June 15th | 6pm
The Indeed Theater at Spring Studios

JUNE 7–18

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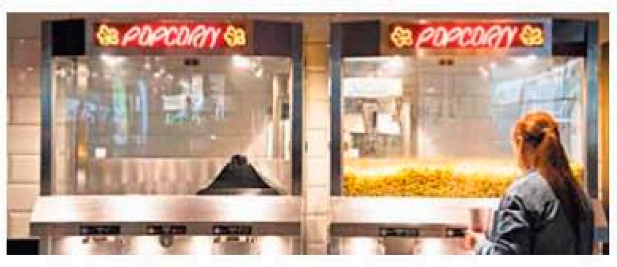
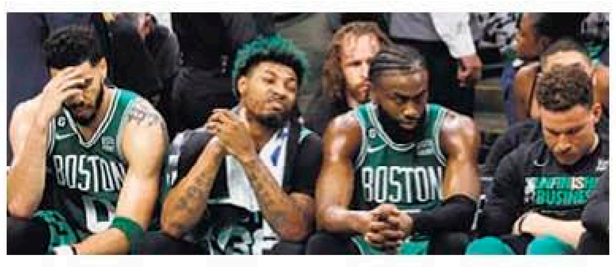


6 SQUARE FEET
After struggling in the pandemic, cinemas aim to lure back moviegoers by spending on upgrades.

7 SMALL BUSINESS
Franchising failures highlight concerns about whether the business model offers enough protections.



9 SPORTS
After falling short of the N.B.A. finals, the Boston Celtics are facing difficult questions about their future.

Business
The New York Times

Once a Symbol of China's Growth, Now a Sign of a Housing Crisis

QILAI SHEN FOR THE NEW YORK TIMES

Construction activity at a residential development in Nanchang, China. China's housing boom started in the late 1990s, spreading to urban areas like Nanchang in the 2000s.

By DAISUKE WAKABAYASHI and CLAIRE FU

The rows of towering buildings crowding the banks of the Gan River are a testament to the real estate boom that transformed Nanchang in eastern China from a gritty manufacturing hub to a modern urban center.

Now those skyscrapers are evidence of something very different: China's real estate market in crisis, reeling after years of overbuilding.

> In Nanchang, new skyscrapers are unfinished or sitting empty as home buyers stay on the sidelines.

As China's economy prospered the last two decades, Nanchang, the capital of Jiangxi Province, erected sweeping apartment complexes and gleaming office towers to meet the increasing demand for homes and workplaces. It pursued urban expansion with a motto that underscored its growth-at-all-costs approach: "Advance eastward, extend southward, expand westward, integrate northward, and prosper in the middle."

But the country's prolonged real estate slump has exposed cracks in cities, like Nanchang, where years of nonstop building have created too much supply. By one measure, nearly 20 percent of homes in Nanchang sit vacant — the highest rate among 28 large and midsize Chinese cities.

Nanchang illustrates the enormous challenges policymakers face in trying to revive China's economy. During past downturns, Beijing turned to real estate and infrastructure spending to jump-start the economy. But this time, it won't be an easy fix. Developers are saddled with debt, cities are teeming with empty dwellings, and local government finances are depleted from years of paying for Covid testing.

Many of Nanchang's newest apart-

CONTINUED ON PAGE B4

Focus on Cuts Threatens Plan to Aid Chip Sector

By MADELEINE NGO

WASHINGTON — A renewed focus on the need to rein in federal spending has raised concerns about whether a bipartisan law that dedicates billions to advancing scientific research as well as revitalizing the American semiconductor industry will receive all of its promised funding.

President Biden and House Republican leaders have reached an agreement in principle to limit federal spending over the next two years in exchange for suspending the debt ceiling and averting the risk of an economic catastrophe.

But some lawmakers and other proponents of the bipartisan law, the CHIPS and Science Act, have grown worried that limits on government spending could undercut the legislation's ambitious goals of bolstering the nation's scientific edge and countering China's technological rise.

The debt ceiling deal cuts so-called nondefense discretionary funding — which includes scientif-

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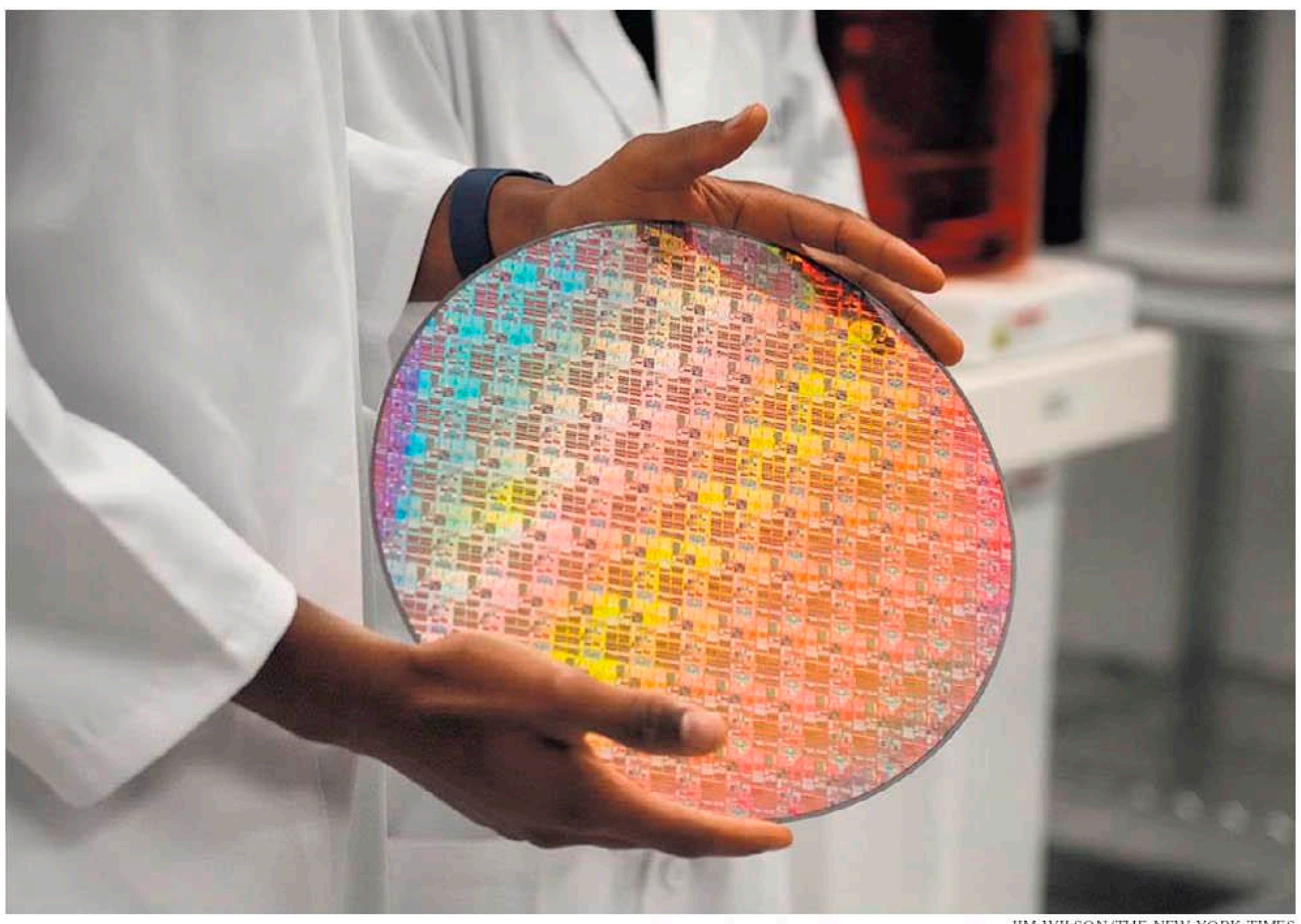


JIM WILSON/THE NEW YORK TIMES

A silicon wafer at Applied Materials, which plans to invest billions of dollars into a facility in Sunnyvale, Calif.

Court Shields Opioid Giant From Claims

By JAN HOFFMAN

Members of the Sackler family, the billionaire owners of Purdue Pharma, will receive full immunity from all civil legal claims — current and future — over their role in the company's prescription opioids business, a federal appeals court panel ruled on Tuesday.

The ruling gives the family the sweeping protection that it has been demanding for years, in exchange for payment of up to $6 billion of the family's fortune to help address the ongoing ravages of the opioid crisis.

It removes a major hurdle for that money, plus the company's initial outlay of $500 million, to be dispensed to states and communities for addiction treatment and prevention programs, needs that soared during an epidemic that has grown far beyond abuse of

CONTINUED ON PAGE B3

Prison Starts For Founder Of Theranos

By ERIN GRIFFITH

Elizabeth Holmes, the disgraced entrepreneur who was convicted of defrauding investors at her failed blood testing start-up, Theranos, reported to a federal prison in Texas on Tuesday to begin her 11-year three-month sentence.

Ms. Holmes surrendered to F.P.C. Bryan, a minimum-security prison camp for women about 90 minutes from Houston. She pulled up in a Ford Expedition that appeared to be driven by her mother, Noel Holmes. Her father, Christian Holmes, appeared to be inside.

After some shuffling around, out of the view of the cameras gathered nearby, Elizabeth Holmes entered the facility wearing jeans, glasses and a sweater, and carrying some papers. As she entered the prison, a bystander

CONTINUED ON PAGE B4

The Digest

CONSUMERS

Older Americans Sour on the Economy

Consumer confidence fell in May as Americans, particularly older ones, became more pessimistic about the labor market, on top of elevated anxiety over inflation.

The Conference Board reportedon Tuesday that its consumer confidence index fell to 102.3 in May from 103.7 in April. It's the fourth time in five months that overall consumer confidence has declined.

The business research group's present situation index — which measures consumers' assessment of current business and labor market conditions — fell to 148.6 from 151.8 last month.

The board's expectations index — a measure of consumers' six-month outlook for income, business and labor conditions — inched down to 71.5 this month from 71.7 in April.

A reading under 80 often signals a recession in the coming year. The Conference Board noted that reading has come in below 80 every month but one since February 2022. *ASSOCIATED PRESS*

AUTOMOTIVE

U.S. Ends Inquiry Of Tesla Video Games

ALY SONG/REUTERS

Highway safety regulators have closed an investigation into Tesla allowing video games to be played on center touch screens while vehicles are moving.

The National Highway Traffic Safety Administration said in documents posted Tuesday that Tesla disabled the feature called "passenger play" with an online software update in December of 2021, under pressure from the agency.

The agency said in documents that removing "passenger play" resolved its concerns about distracted driving that could be caused by the feature.

The software update covered more than 580,000 vehicles from the 2017 through 2022 model years.

The agency said it opened the investigation in December of 2021 after getting a complaint from a Tesla owner that games could be played by the driver while the vehicles are moving. The investigation was opened to assess the driver distraction potential.
ASSOCIATED PRESS

CLIMATE

Automakers Join Forces On Environmental Tech

The German truck maker Daimler, Japan's top automaker Toyota and two other automakers said on Tuesday they will work together on new technologies, including using hydrogen fuel, to help fight climate change.

The companies said Mitsubishi Fuso Truck and Bus Corp., whose top stakeholder is Daimler Truck, and Hino Motors, the truck maker in the Toyota group, will merge. Daimler Truck and Toyota Motor Corp. will equally invest in the holding company of the Mitsubishi-Hino merger, they said without giving a dollar amount for the deal.

The companies plan to cooperate in reducing carbon emissions and developing other technologies such as autonomous driving, net-connected services and electric vehicles.

The two truck companies will work on commercial vehicle development, procurement and production to become globally competitive, the executives said.
ASSOCIATED PRESS

S&P 500 INDEX
0.0%
4,205.52

DOW JONES INDUSTRIALS
−0.2%
33,042.78

NASDAQ COMPOSITE INDEX
+0.3%
13,017.43

10-YEAR TREASURY YIELD
3.70%
−0.103 points

CRUDE OIL (U.S.)
$69.46
−$3.21

GOLD (N.Y.)
$1,977.10
+$14.00

Market Keeps Brooding Despite Debt Deal

By The Associated Press

Wall Street churned to a mixed finish Tuesday, fretting over a long list of worries, even if the most pressing crisis seems to be calming as Washington moves to avoid a default on its debt.

The S&P 500 was essentially

STOCKS & BONDS

unchanged, hovering close to its highest level since August. The Dow Jones industrial average slipped 0.2 percent. The Nasdaq composite led the market with a 0.3 percent gain as excitement keeps building about artificial intelligence.

Tuesday was the U.S. stock market's first trading since President Biden and Speaker Kevin McCarthy struck a deal to allow the government to borrow more money, which would let it avoid a default on its debt. They now must persuade Congress to approve it before the government runs out of cash to pay its bills, which could happen as soon as Monday.

Beyond the drama around the nation's debt limit, the economy is slowing, inflation is still high and interest rates may be heading even higher, which would further tighten the reins on the economy and financial markets.

The worries are also global, with China's economic recovery weaker than expected following its relaxation of anti-Covid restrictions.

Stocks have rallied despite such worries recently after companies reported drops in profit for the start of the year that weren't as bad as feared. And at the center of it has been Wall Street's growing frenzy over artificial intelligence.

Nvidia, whose chips are helping to power the tech world's newest rush, rose another 3 percent after already more than doubling so far this year. Last week, it gave a monster forecast for upcoming revenue as it described customers of all kinds racing to apply A.I. to their businesses.

Nvidia's surge has its total value nearing $1 trillion, a threshold passed by only the biggest stocks, including Apple. The huge gains are raising worries about another possible bubble sweeping the stock market. But evangelists say A.I. is the next big revolution to reshape the global economy.

Also helping to prop up Wall Street in recent weeks have been reports showing a resilient job market and other signals that the slowing economy may avoid a recession.

"I'm sure there's going to be a lot of money to be made in A.I. for a select group of companies, but that's not enough to lift the entire economy out of a potential recession here," said Rich Weiss, senior vice president at American Century Investments.

He acknowledged the job market had remained much better than he expected under the weight of higher interest rates, but he pointed to weakness in the housing market, manufacturing, corporate profits and other areas that often fall before the labor market ahead of a recession.

"The job market will follow the others, not the other way around," Mr. Weiss said.

He also highlighted how concentrated the stock market's gains have been this year among a handful of companies, many benefiting from A.I. The majority of stocks in the S&P 500 are down for the year so far, partially on worries about the economy.

A report Tuesday showed that confidence among consumers is falling and remains well below where it was before the pandemic, though it remains stronger than economists expected.

On the losing end of Wall Street were companies in the energy industry. Exxon Mobil fell 0.9 percent, as the price of crude oil fell even more steeply amid worries about demand for fuel.

In the bond market, Treasury yields eased as fears about a possible default diminished.

The yield on the 10-year Treasury fell to 3.70 percent from 3.81 percent late Friday. It helps set rates for mortgages and other loans. The yield on the two-year Treasury fell to 4.46 percent from 4.57 percent. It more closely tracks expectations for what the Federal Reserve will do.

The S&P 500 Index

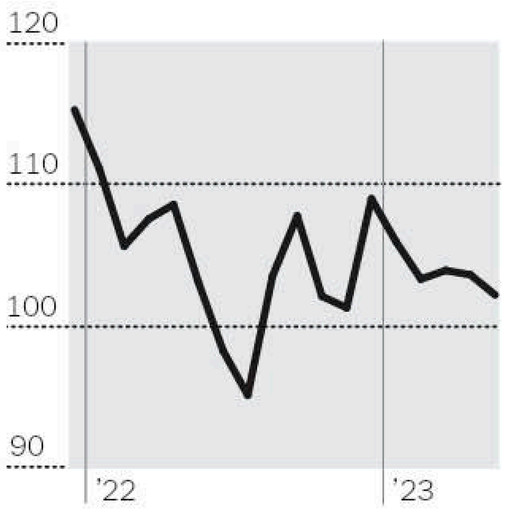
Position of the S&P 500 index at 1-minute intervals on Tuesday

-- Previous Close: 4,205.45

Source: FactSet
THE NEW YORK TIMES

Consumer Confidence

Index measures attitudes toward the economy, 1985 = 100.

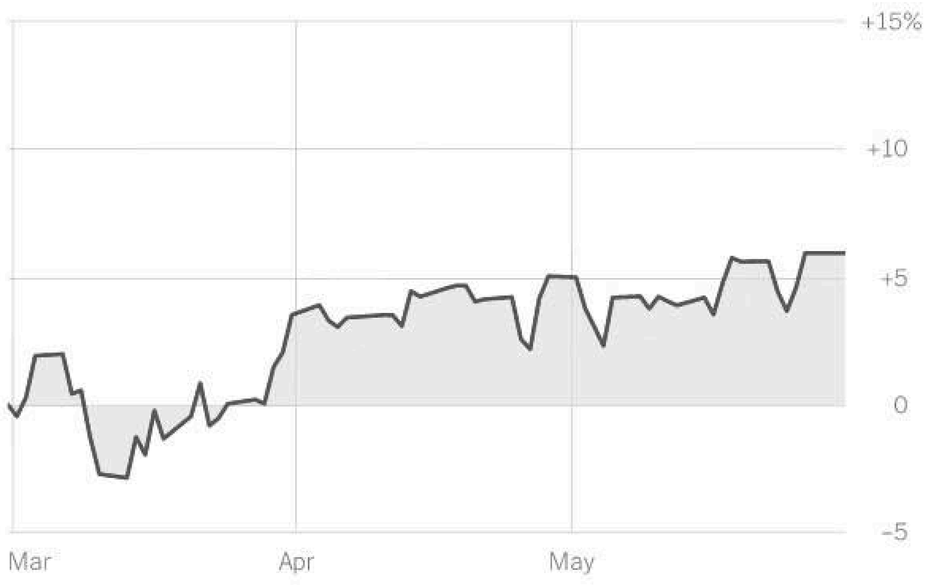


Source: The Conference Board
THE NEW YORK TIMES

What Happened in Stock Markets Yesterday

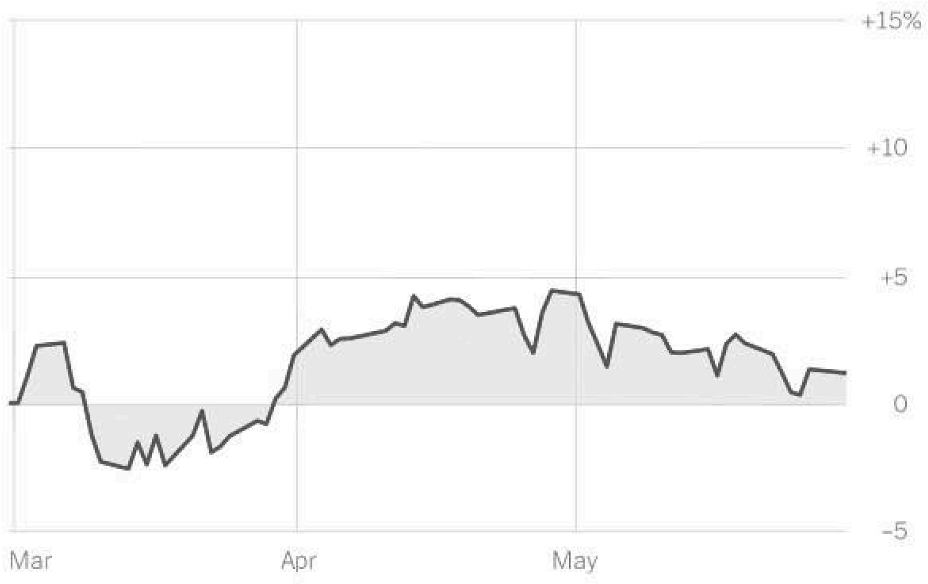
POWERED BY FACTSET

S&P 500 4,205.52 0.0%
3 month performance: **+5.9%**



Nasdaq Composite Index 13,017.43 ↑ +0.3%
3 month performance: **+13.6%**

Dow Jones Industrials 33,042.78 ↓ −0.2%
3 month performance: **+1.2%**



Best performers

S&P 500 COMPANIES	CLOSE	CHANGE
1. Paramount Global 'B' (PARA)	$15.86	+6.4%
2. Enphase Energy (ENPH)	$174.12	+5.4
3. Qualcomm (QCOM)	$116.00	+5.1
4. Synopsys (SNPS)	$464.83	+4.5
5. Tesla (TSLA)	$201.16	+4.1
6. Ford Motor (F)	$12.59	+4.1
7. Quanta Services (PWR)	$181.17	+4.1
8. Netflix (NFLX)	$392.98	+3.7
9. Intel Corp (INTC)	$29.99	+3.4
10. Ansys (ANSS)	$329.16	+3.1

Worst performers

S&P 500 COMPANIES	CLOSE	CHANGE
1. Mondelez International (MDLZ)	$72.37	−3.7%
2. TARGET CORP (TGT)	$133.84	−3.7
3. Comerica (CMA)	$37.59	−3.6
4. ETSY (ETSY)	$82.49	−3.6
5. APA Corp. (APA)	$32.24	−3.5
6. Ball Corp (BALL)	$52.01	−3.3
7. ON Semiconductor (ON)	$83.97	−3.1
8. Ralph Lauren 'A' (RL)	$109.32	−3.1
9. Micron Technology (MU)	$71.69	−3.0
10. Intuit (INTU)	$406.09	−2.9

Most active

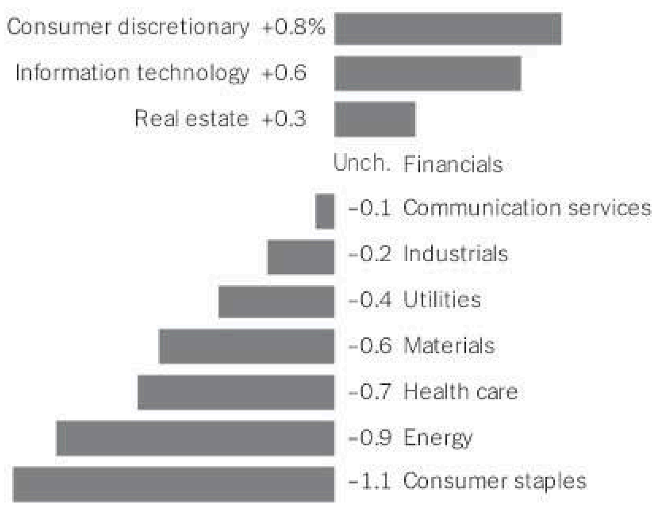
S&P 500 COMPANIES	CLOSE	CHANGE	VOLUME IN MIL.
1. Tesla (TSLA)	$201.16	+4.1%	128
2. Advanced Micro Devices (AMD)	$125.27	−1.4	98
3. NVIDIA (NVDA)	$401.11	+3.0	91
4. Ford Motor (F)	$12.59	+4.1	86
5. Amazon.com (AMZN)	$121.66	+1.3	64
6. Apple (AAPL)	$177.30	+1.1	56
7. Intel Corp (INTC)	$29.99	+3.4	55
8. Bank of America (BAC)	$28.26	−0.2	42
9. Alphabet A (GOOGL)	$123.67	−0.8	35
10. AT&T Inc. (T)	$15.64	+0.9	35

International bonds

	TOTAL RETURN 1 YR	TOTAL RETURN 5 YRS	TOTAL ASSETS IN BIL.
1. American Funds Capital World Bond Fund Class R-6 (RCWGX)	−1.6%	−0.9%	9.7
2. Six Circles Global Bond Fund (CGLBX)	−0.1	0.0	9.2
3. Templeton Global Bond Fund Class R6 (FBNRX)	−2.5	−2.7	5.5
4. The Hartford World Bond Fund Class R3 (HWDRX)	+1.0	+0.7	3.6
5. PGIM Global Total Return Fund - Class R2 (PGTOX)	−3.1	−2.0	2.9
6. BrandywineGLOBAL - Global Opportunities Bond Fund Class R (LBORX)	−3.7	−1.6	2.2
7. Dodge & Cox Global Bond Fund Class X (DOXLX)	+4.6	+3.3	1.9
8. Invesco Global Strategic Income Fund Class R (OSINX)	+0.8	−0.8	1.7
9. Invesco International Bond Fund Class R5 (INBQX)	+0.8	−2.2	1.4
10. DFA Selectively Hedged Global Fixed Income Portfolio Institutional Class (DFSHX)	+1.0	+0.7	1.0

Source: Morningstar

Sector performance
S&P 500 SECTORS



How stock markets fared yesterday in Asia ...

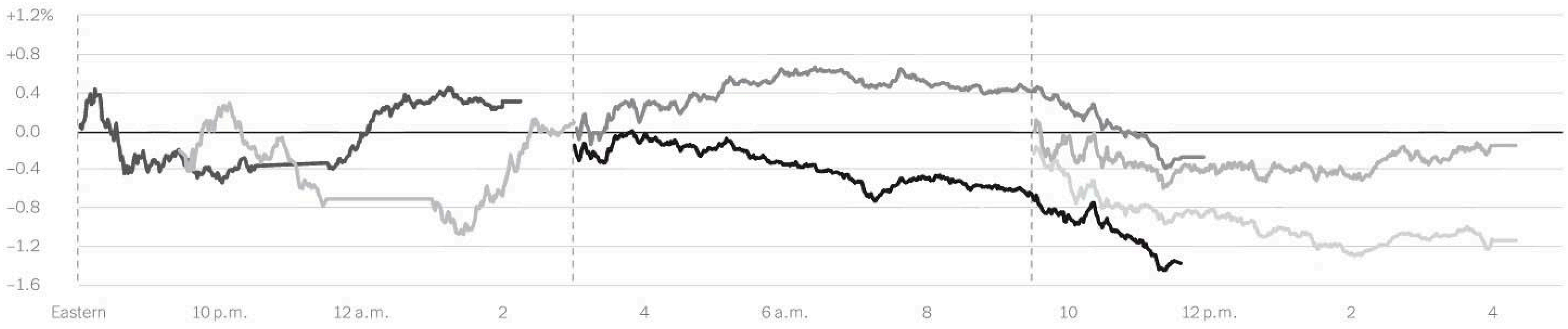
— Nikkei 225 (Japan): +0.3%
— Shanghai Composite (Shanghai): +0.1%

... in Europe

— FTSE 100 (London): −1.4%
— DAX (Frankfurt): −0.3%

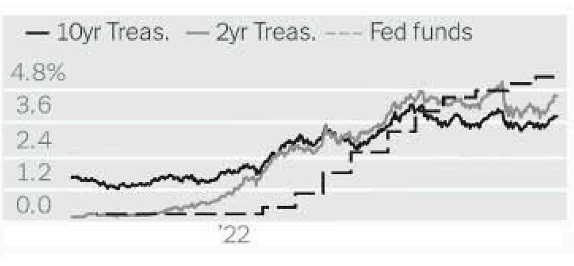
... and North America

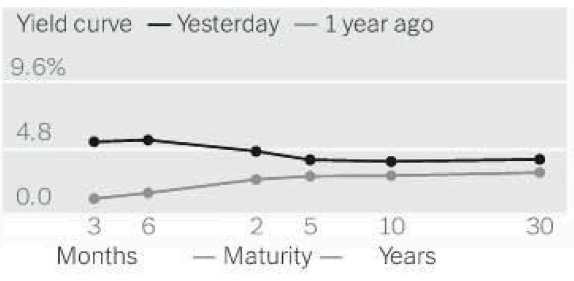
— Dow Jones Industrials (New York): −0.2%
— S&P/TSX (Toronto): −1.1%



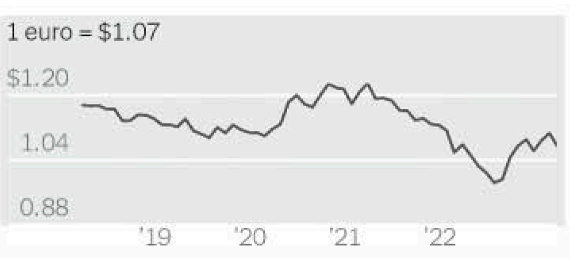
What Is Happening in Other Markets and the Economy

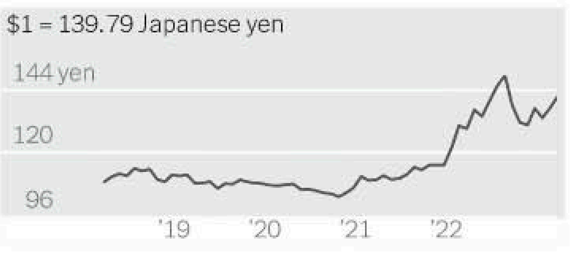
Bonds



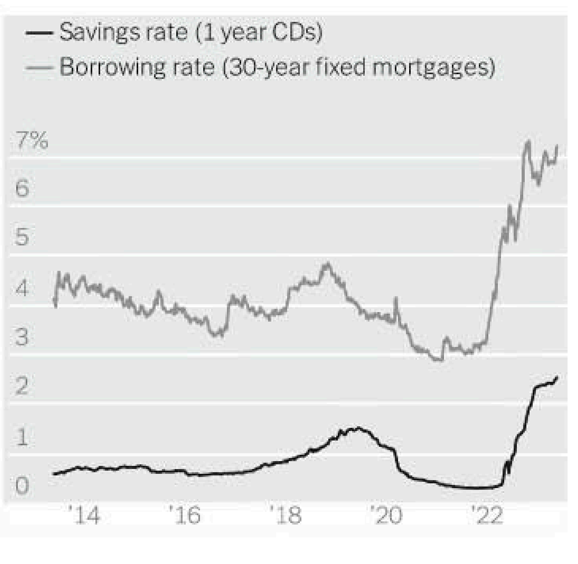


Currencies

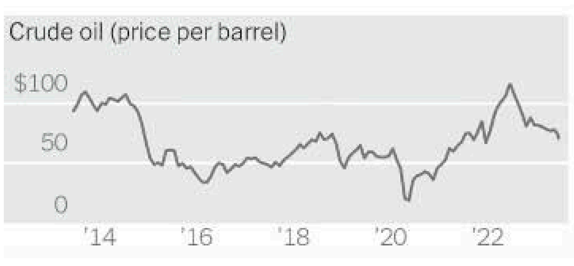


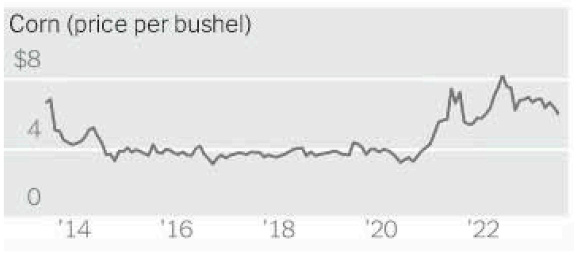


Consumer rates

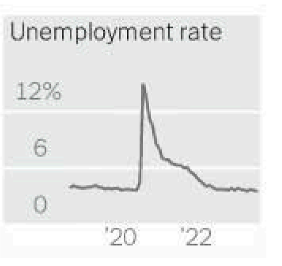


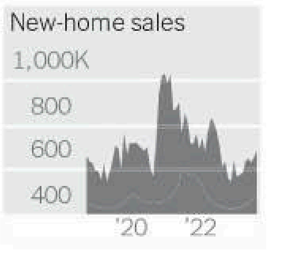
Commodities

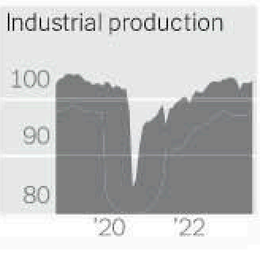




Economy







PHARMACEUTICAL

Court Ruling Ends Civil Legal Claims Against the Sacklers

FROM FIRST BUSINESS PAGE

Purdue's signature prescription painkiller drug, OxyContin.

Unless it is successfully appealed to the Supreme Court — an unlikely prospect, legal experts said — the new ruling will close the door on Purdue's hotly contended bankruptcy restructuring, which began nearly four years ago. The bankruptcy is at the core of a plan intended to resolve thousands of opioid cases against the company nationwide, plus roughly 400 against individual Sackler family members.

According to the plan, Purdue would be restructured into a new entity called Knoa Pharma that will manufacture medications for addiction reversal and treatment as well as continue to produce other drugs, including OxyContin. It will be overseen by a public board. Over time, Knoa Pharma is expected to contribute at least many hundreds of millions dollars more to plaintiffs.

Some close observers of the Purdue case applauded the ruling, calling it a pragmatic reading that could now loosen up billions of dollars for states, local governments, tribes and individuals who sued Purdue for its early and aggressive role in marketing OxyContin as a nonaddictive pain treatment.

"It's time to put this bankruptcy behind us. Victims have been waiting for too long to recover," said Ryan Hampton, an advocate for opioid victims who served as the co-chairman of the Purdue creditor's committee.

'The true injustice will be if this victims' settlement is held up any longer.'

Ryan Hampton, an advocate for opioid victims.

He added: "The system is far from perfect, but the true injustice will be if this victims' settlement is held up any longer."

But others said the Sacklers had received a significant pass. "Bankruptcy was not meant to be an alternative justice system for powerful corporations and their superrich owners. But that is the effect and perception when courts read the law to provide extraordinary protections well beyond what Congress authorized," said Melissa B. Jacoby, a law professor at the University of North Carolina at Chapel Hill.

A bankruptcy filing typically puts a temporary halt on a company's creditors, including on lawsuits. The major issue in this case was that even though Purdue had filed for bankruptcy, the Sacklers, as individuals, had not. As a result, plaintiffs who fought the plan contended, the Sacklers should not receive the benefit of their company's liability protection.

The Sacklers stepped down from Purdue's board of directors in 2018 and have had no direct involvement in the company since then.

Judge Eunice C. Lee of the United States Court of Appeals for the Second Circuit, who wrote Tuesday's opinion for a three-judge panel, found that the bankruptcy code permits corporate owners who haven't filed for personal bankruptcy to receive liability protection under certain circumstances.

"Bankruptcy is inherently a creature of competing interests, compromises, and less than perfect outcomes," she wrote. "Because of these defining characteristics, total satisfaction of all that is owed — whether in money or in justice — rarely occurs."

Quoting from a bankruptcy ruling in a 2019 case that did not involve Purdue, Judge Lee also stressed that the releases granted to the Sacklers "'are not a merit badge that somebody gets in return for making a positive contribution to a restructuring,' nor are they 'a participation trophy' or a 'gold star for doing a good job.'"

The Sacklers' liability protection does not extend to criminal prosecutions, should any ever be filed.

Purdue filed for bankruptcy in September 2019, as the rising opioid cases against the company turned into a torrent.

Tuesday's ruling came more than a year after oral arguments before the Second Circuit panel. As months passed, thousands of litigants expressed growing frustration that the case remained unresolved, with promised payments held in abeyance even as the opioid epidemic itself, now marked by fentanyl use, continued to surge.

The ruling was a win for Purdue, which appealed a decision by a federal district judge who had overturned a settlement that had originally been approved by a bankruptcy court judge in 2021. But most of the parties that had appealed the 2021 plan eventually wound up dropping their objections, after the Sacklers increased their payout offer by roughly $1.73 billion.

The only objectors who remain include several Canadian municipalities, a few individuals and the U.S. Trustee, a Justice Department program that is the watchdog of the bankruptcy system. Ms. Jacoby, the North Carolina law professor, said that because the last objecting states had agreed to the Purdue plan, the U.S. Trustee's argument for pursuing the case would not be robust.

The U.S. Trustee declined to comment on Tuesday's ruling.

In a statement after the ruling was issued, Purdue called the decision "a victory for Purdue's creditors, including the states, local governments and victims who overwhelmingly support the plan of reorganization."

"Our focus going forward is to deliver billions of dollars of value for victim compensation, opioid crisis abatement and overdose rescue medicines," the statement continued. "Our creditors understand the plan is the best option to help those who need it most, the most fair and expeditious way to resolve the litigation and the only way to deliver billions of dollars in value specifically to fund opioid crisis abatement efforts."

The families of two founding brothers of Purdue, Dr. Mortimer Sackler and Dr. Raymond Sackler, both deceased, said in a joint statement: "The Sackler families believe the long-awaited implementation of this resolution is critical to providing substantial resources for people and communities in need. We are pleased with the Court's decision to allow the agreement to move forward and look forward to it taking effect as soon as possible."

MARK LENNIHAN/ASSOCIATED PRESS

The Purdue Pharma headquarters in Stamford, Conn. A court ruling will close the door on the company's contentious bankruptcy restructuring.

This announcement is neither an offer to purchase nor a solicitation of an offer to sell Shares (as defined below). The Offer (as defined below) is made solely by the Offer to Purchase, dated May 31, 2023, and the related Letter of Transmittal, as they may be amended or supplemented from time to time and the information contained therein is incorporated herein by reference. The Offer is not being made to, nor will tenders be accepted from or on behalf of, holders of Shares in any U.S. state in which the making or acceptance of offers to sell Shares would not be in compliance with the laws of that U.S. state. If the Company (as defined below) becomes aware of any such U.S. state where the making of the Offer or the acceptance of Shares pursuant to the Offer is not in compliance with applicable law, the Company will make a good faith effort to comply with the applicable law. If, after such good faith effort, the Company cannot comply with the applicable law, the Offer will not be made to (nor will tenders be accepted from or on behalf of) the stockholders residing in such U.S. state. In any U.S. state where the securities, blue sky or other laws require the Offer to be made by a licensed broker or dealer, the Offer shall be deemed to be made on behalf of the Company by the Dealer Manager (as defined below), or by one or more registered brokers or dealers licensed under the laws of that U.S. state.

Notice of Offer to Purchase
by
OPPENHEIMER HOLDINGS INC.
for
an Aggregate Purchase Price of Up to $30,000,000 in Cash of Shares of its Class A non-voting common stock at a Purchase Price Not Greater Than $40.00 Per Share Nor Less than $34.00 Per Share

Oppenheimer Holdings Inc., a Delaware corporation (the "Company" or "we"), is offering to purchase for cash up to $30,000,000 of shares of its Class A non-voting common stock, par value $0.001 per share (the "Shares"), pursuant to (i) auction tenders at prices specified by the tendering stockholders of not greater than $40.00 per Share nor less than $34.00 per Share ("Auction Tenders"), or (ii) purchase price tenders pursuant to which stockholders indicate they are willing to sell their Shares to the Company at the Purchase Price determined in the offer ("Purchase Price Tenders"), in either case, net to the seller in cash, less any applicable withholding taxes and without interest, upon the terms and subject to the conditions described in the Offer to Purchase, dated May 31, 2023 (the "Offer to Purchase"), and in the related Letter of Transmittal (which together, as they may be amended or supplemented from time to time, constitute the "Offer"). Subject to any increase we may later make (subject to applicable law), the maximum number of Shares that we will purchase in the Offer is 882,352.

THE OFFER, PRORATION PERIOD AND WITHDRAWAL RIGHTS WILL EXPIRE AT 11:59 P.M., NEW YORK CITY TIME, ON JUNE 28, 2023, UNLESS THE OFFER IS EXTENDED OR WITHDRAWN (SUCH DATE, AS IT MAY BE EXTENDED, THE "EXPIRATION DATE").

The Company's Board of Directors has resolved to pursue the Offer as a mechanism for returning capital to stockholders. The Offer is not conditioned upon obtaining financing or any minimum number of Shares being tendered. The Offer is, however, subject to a number of other terms and conditions as specified in Section 7 of the Offer to Purchase.

While the Company's Board of Directors has authorized the Offer, it has not, nor has the Company, the Dealer Manager (as defined below), the Information Agent (as defined below) or the Depositary (as defined below) made, or is making, any recommendation to the Company's stockholders as to whether to tender or refrain from tendering their Shares or as to the price or prices at which stockholders may choose to tender their Shares. Stockholders must make their own decision as to whether to tender their Shares and, if so, how many Shares to tender and the price or prices at which their Shares should be tendered. In doing so, stockholders should read carefully the information in, or incorporated by reference in, the Offer to Purchase and the related Letter of Transmittal, including the purposes and effects of the Offer. Stockholders are urged to discuss their decision with their tax advisors, financial advisors and/or brokers.

The Company believes that the modified "Dutch auction" tender offer mechanism is a prudent use of the Company's financial resources and an efficient way to return capital to stockholders who wish to receive cash for all or a portion of their Shares. The Offer provides stockholders (particularly those who, because of the size of their shareholdings, might not be able to sell their Shares without potential disruption to the Share price) with an opportunity to obtain liquidity with respect to all or a portion of their Shares, without potential disruption to the Share price and the usual transaction costs associated with market sales. In addition, stockholders who wish to achieve a greater percentage of equity ownership in the Company will be able to do so by not tendering their Shares in the Offer, and, if the Company completes the Offer, will therefore have a greater percentage ownership in the Company and its future earnings and assets, while also bearing the attendant risks associated with owning Shares.

Odd Lot Holders (as defined in the Offer to Purchase) who hold Shares registered in their names and tender their Shares directly to Computershare Trust Company, N.A. (the "Depositary"), and whose Shares are purchased pursuant to the Offer, will avoid any applicable odd lot discounts that might be payable on sales of their Shares. However, if a stockholder owns Shares through a bank, broker, dealer, trust company or other nominee and the nominee tenders such Shares on the stockholder's behalf, the nominee may charge the stockholder a fee for doing so. Stockholders should consult their banks, brokers, dealers, trust companies or other nominees to determine whether any charges will apply.

In accordance with the instructions to the Letter of Transmittal, stockholders desiring to tender Shares must specify (1) whether Shares are tendered pursuant to an Auction Tender or a Purchase Price Tender and (2) if an Auction Tender is made, the price, not greater than $40.00 per Share and not less than $34.00 per Share (in increments of $0.25), at which they are willing to sell their Shares to the Company in the Offer. After the Expiration Date, the Company will, upon the terms and subject to the conditions of the Offer, determine a single price per Share (the "Purchase Price"), which will not be greater than $40.00 per Share nor less than $34.00 per Share, that it will pay for Shares properly tendered pursuant to the Offer and not properly withdrawn, taking into account the number of Shares tendered pursuant to Auction Tenders and Purchase Price Tenders and the prices specified by stockholders tendering Shares pursuant to Auction Tenders. Shares tendered pursuant to Purchase Price Tenders will be deemed to have been tendered at a price of $34.00 per Share for purposes of determining the Purchase Price (which is the minimum price per Share under the Offer). The Purchase Price will be the lowest price per Share of not more than $40.00 per Share and not less than $34.00 per Share, at which Shares have been tendered or have been deemed to be tendered under the Offer, that will enable the Company to purchase the maximum number of Shares properly tendered and not properly withdrawn pursuant to the Offer having an aggregate purchase price not exceeding $30,000,000. Shares properly tendered pursuant to an Auction Tender will only be taken up if the price specified in the Auction Tender is equal to or less than the Purchase Price. All Shares purchased in the Offer will be purchased at the same Purchase Price regardless of whether any stockholder tendered at a lower price. The Company expressly reserves the right, in its sole discretion, to change the Purchase Price range and to increase or decrease the aggregate purchase price of Shares sought in the Offer. The Company may increase the aggregate purchase price of Shares sought in the Offer to an amount greater than $30,000,000, subject to applicable law.

As of May 26, 2023, there were 10,960,710 Shares issued and outstanding. Since the Purchase Price will only be determined after the Expiration Date, the number of Shares that will be purchased will not be known until after that time. At the maximum purchase price of $40.00 per Share, subject to any increase we may later make (subject to applicable law), we could purchase up to 750,000 Shares if the Offer is fully subscribed, which would represent approximately 6.84% of our outstanding Shares as of May 26, 2023. At the minimum purchase price of $34.00 per Share, subject to any increase we may later make (subject to applicable law), we could purchase up to 882,352 Shares if the Offer is fully subscribed, which would represent approximately 8.05% of our outstanding Shares as of May 26, 2023.

Upon the terms and subject to the conditions of the Offer, if the number of Shares properly tendered at or below the Purchase Price and not properly withdrawn prior to the Expiration Date would result in an aggregate purchase price of more than $30,000,000, the Company will purchase Shares:

- *First*, from all holders of "odd lots" of less than 100 Shares who properly tender all of their Shares at or below the Purchase Price and do not properly withdraw them prior to the Expiration Date;
- *Second*, subject to the conditional tender provisions described in Section 6 of the Offer to Purchase, from all other stockholders who properly tender Shares at or below the Purchase Price (and do not properly withdraw them prior to the Expiration Date), on a pro rata basis, with appropriate adjustments to avoid the purchase of fractional Shares (except for stockholders who tendered Shares conditionally for which the condition was not satisfied), until the Company has purchased Shares resulting in an aggregate purchase price of $30,000,000; and
- *Third*, only if necessary to permit the Company to purchase Shares resulting in an aggregate purchase price of $30,000,000, from holders who properly tender Shares (and do not properly withdraw them prior to the Expiration Date) at or below the Purchase Price conditionally (for which the condition was not initially satisfied) by random lot, to the extent feasible. To be eligible for purchase by random lot, stockholders whose Shares are conditionally tendered must have properly tendered and not properly withdrawn all of their Shares prior to the Expiration Date.

Therefore, the Company may not purchase all of the Shares that its stockholders tender even if tendered at or below the Purchase Price.

In accordance with the rules of the U.S. Securities and Exchange Commission (the "SEC"), the Company may, without amending or extending the Offer, increase the aggregate purchase price of Shares sought in the Offer and thereby increase the number of Shares accepted for payment in the Offer by no more than 2% of the number of our outstanding Shares. If we so increase the number of Shares accepted for payment by 2%, the maximum number of Shares that will be purchased pursuant to the Offer is 1,101,566, or approximately 10.05% of our outstanding Shares as of May 26, 2023.

Stockholders desiring to tender their Shares must follow the procedures set forth in Section 3 of the Offer to Purchase and in the Letter of Transmittal.

For purposes of the Offer, the Company will be deemed to have accepted for payment, subject to the "odd lot" priority, proration and conditional tender provisions of the Offer, Shares that are properly tendered at or below the Purchase Price and not properly withdrawn, only when, as and if the Company gives oral or written notice to the Depositary of its acceptance of the Shares for payment pursuant to the Offer.

Payment for Shares tendered and accepted for payment pursuant to the Offer will be made promptly after the Expiration Date, subject to possible delay in the event of proration, but only after timely receipt by the Depositary of certificates for such Shares or a timely confirmation of a book-entry transfer of such Shares into the Depositary's account at DTC, a properly completed and duly executed Letter of Transmittal (or manually signed facsimile of the Letter of Transmittal) with any required signature guarantees, or an Agent's Message (as defined in the Offer to Purchase) in connection with book-entry delivery, and any other documents required by the Letter of Transmittal. Any stockholder who wishes to tender Shares at more than one price must complete and deliver a separate Letter of Transmittal for each price at which Shares are being tendered. The same Shares cannot be tendered at more than one price, unless such Shares have been previously and properly withdrawn.

If any tendered Shares are not purchased, or if less than all Shares evidenced by a stockholder's certificates are tendered, certificates for unpurchased Shares will be returned promptly after the expiration or termination of the Offer or the proper withdrawal of the Shares, or, in the case of Shares tendered by book-entry transfer at DTC, the Shares will be credited to the appropriate account maintained by the tendering stockholder at DTC, in each case without expense to the stockholder.

If any certificate representing Shares has been lost or destroyed, the stockholder should promptly follow the procedures set forth in Section 3 of the Offer to Purchase.

The Company expressly reserves the right, in its sole discretion and subject to applicable law, at any time and from time to time, to extend the period of time the Offer is open and delay acceptance for payment of, and payment for, any Shares by giving oral or written notice of such extension to the Depositary and making a public announcement of such extension no later than 9:00 a.m., New York City time, on the next business day after the last previously scheduled or announced Expiration Date. In the event of an extension, the term "Expiration Date" will refer to the latest time and date at which the Offer, as extended by the Company, will expire. During any such extension, all Shares previously tendered and not properly withdrawn will remain subject to the Offer and to the right of a tendering stockholder to withdraw such stockholder's Shares.

Shares tendered pursuant to the Offer may be withdrawn at any time prior to the Expiration Date. In addition, unless the Company has already accepted such tendered Shares for payment, stockholders may withdraw their tendered Shares at any time after 11:59 p.m., New York City time, on June 28, 2023. Except as otherwise provided in the Offer to Purchase, tenders of Shares pursuant to the Offer are irrevocable. For a withdrawal to be effective, a written or facsimile notice of withdrawal must be received in a timely manner by the Depositary at one of its addresses set forth on the back cover of the Offer to Purchase, and any notice of withdrawal must specify the name of the tendering stockholder, the number of Shares to be withdrawn and the name of the registered holder of the Shares to be withdrawn, if different from the person who tendered the Shares. A stockholder who has tendered Shares at more than one price must complete and deliver a separate notice of withdrawal for Shares tendered at each price. If the certificates for Shares to be withdrawn have been delivered or otherwise identified to the Depositary, then, before the release of those certificates, the tendering stockholder also must submit the serial numbers shown on those particular certificates for Shares to be withdrawn and, unless an Eligible Institution (as defined in the Offer to Purchase) has tendered those Shares, the signature(s) on the notice of withdrawal must be guaranteed by an Eligible Institution. If Shares have been tendered pursuant to the procedure for book-entry transfer described in the Offer to Purchase, the notice of withdrawal also must specify the name and the number of the account at DTC to be credited with the withdrawn Shares and must otherwise comply with DTC's procedures. Withdrawals may not be rescinded, and any Shares properly withdrawn will be deemed not tendered for purposes of the Offer. However, properly withdrawn Shares may be re-tendered prior to the Expiration Date by any stockholder following the procedures described in the Offer to Purchase.

All questions as to the form and validity, including the time of receipt, of any notice of withdrawal will be determined by the Company, in its sole discretion and will be final and binding on all parties. The Company expressly reserves the absolute right to waive any defect or irregularity in the notice of withdrawal of Shares by any stockholder, whether or not the Company waives similar defects or irregularities in the case of any other stockholder. None of the Company, the Depositary, the Information Agent, the Dealer Manager or any other person will be obligated to give notice of any defects or irregularities in any notice of withdrawal, nor will any of them incur liability for failure to give any such notice.

Generally, the receipt of cash by a U.S. Holder (as defined in the Offer to Purchase) from the Company in exchange for the Shares tendered in the Offer will be a taxable event for U.S. federal income tax purposes. All stockholders should read carefully the Offer to Purchase for additional information regarding certain tax issues and should consult their own tax advisor regarding the tax consequences of the Offer.

The Offer to Purchase and the Letter of Transmittal contain important information that stockholders should read carefully before they make any decision with respect to the Offer. The Offer to Purchase and the Letter of Transmittal will be mailed to record holders of the Shares and will be furnished to brokers, dealers, commercial banks, trust companies and other nominee stockholders and similar persons whose names, or the names of whose nominees, appear on the Company's stockholder list or, if applicable, who are listed as participants in a clearing agency's security position listing for subsequent transmittal to beneficial owners of Shares.

The information required to be disclosed by Rule 13e-4(d)(1) under the Securities Exchange Act of 1934, as amended, is contained in the Offer to Purchase and is incorporated herein by reference. The Company is also filing with the SEC an Issuer Tender Offer Statement on Schedule TO, which includes additional information relating to the Offer.

Please direct any questions or requests for assistance to D.F. King & Co., Inc. (the "Information Agent") or Oppenheimer & Co. Inc. (the "Dealer Manager") at their respective telephone numbers and addresses set forth below. Please direct requests for additional copies of the Offer to Purchase, the Letter of Transmittal or the Notice of Guaranteed Delivery to the Information Agent at the telephone numbers and address set forth below. The Information Agent will promptly furnish to stockholders additional copies of these materials at the Company's expense. Stockholders may also contact their broker, dealer, commercial bank, trust company or other nominee for assistance concerning the Offer.

The Depositary for the Offer is:

Computershare Trust Company, N.A.

The Information Agent for the Offer is:

D.F. King & Co., Inc.
48 Wall Street, 22nd Floor
New York, New York 10005
(866) 828-6934 or OPY@dfking.com

The Dealer Manager for the Offer is:

Oppenheimer & Co. Inc.
85 Broad Street
New York, New York 10004
(212) 668-8000 or info@opco.com

May 31, 2023

INTERNATIONAL | LEGAL

QILAI SHEN FOR THE NEW YORK TIMES

By one measure, nearly 20 percent of homes in Nanchang sit vacant. For years, the annual amount of housing construction in the city roughly doubled while the population increased only 25 percent. Now, many are trying to sell.

Once a Symbol of Growth, Now a Sign of a Housing Crisis

FROM FIRST BUSINESS PAGE

ments remain empty because developers ran out of money and did not finish building already-sold units. Some homeowners are refusing to pay mortgages until their apartments are finished, a nationwide act of dissent that has rattled the Chinese Communist Party.

Over the last year, Beijing and local governments have unleashed incentives to lure home buyers back, urging banks to lend liberally and rolling back curbs that were put in place before the pandemic to cool an overheated housing market.

New-home prices in China's 70 biggest cities rose in each of the first four months of the year, reversing a yearlong slide during the height of Covid restrictions. But the nascent rebound is losing steam. Growth in housing prices slowed in April.

And the recovery has not been evenly dispersed. Prices have roared back in bigger cities like Beijing and Shanghai. In second-tier cities, like Nanchang, the rebound has been more muted, and even nonexistent in smaller cities.

China's housing problems are more pronounced outside the top cities because overbuilding has been more pervasive in smaller cities, according to a paper from Kenneth Rogoff, an economics professor at Harvard, and Yuanchen Yang, an economist at the International Monetary Fund.

Dr. Rogoff said that China's housing boom was predicated on "fast growth forever," but that in many smaller cities, the economy had not kept pace with the housing build-out.

"China has been building real estate and supporting infrastructure at a breakneck pace for decades," he said. "Eventually you run into diminishing returns."

China's housing boom started in the late 1990s in the biggest cities before spreading to smaller urban areas like Nanchang in the 2000s. In 2000, China built around two million apartments. By the mid 2010s, it was building more than seven million apartments a year. Real estate quickly became the backbone of China's economy, accounting for around a quarter of all activity.

The sector created jobs, supported the finances of local governments that rented land rights for new buildings and provided one of the few reliable investment options for ordinary Chinese people looking to accumulate wealth. As the economy became more reliant on real estate, Xi Jinping, China's top leader, cracked down on debt-laden developers and declared that "homes are for living in, not speculation."

In places like Nanchang, there was more construction than population growth alone could sustain. In the decade before 2021, the annual amount of housing construction in the city roughly doubled while the population increased 25 percent.

Kuang Wei, a real estate agent for existing homes in Nanchang, said prices in the more remote part of the city where he works had declined steadily, down 25 percent since 2019.

He expects prices to fall further because so many people are trying to sell. Some are looking to upgrade to newer apartments, while others want to unload investment properties before an expected property tax is enacted. Mr. Kuang said around 80 percent of his clients still refused to cut prices, hoping that the market will rebound.

"The market now is not like what it was many years ago," he said.

Nanchang's 20 percent residential vacancy rate was higher than the 12 percent average among a nationwide sample, according to an August report by China's Beike Research Institute. Soaring vacancies garnered a lot of attention because they confirmed that China's real estate woes were more widespread than Beijing had let on.

After publication, Beike deleted the report, saying that it had collected information "incorrectly" and that the data "did not reflect the actual situation."

Traditionally, Nanchang's economy relied on manufacturing and construction. It has tried to bring in better-paying digital economy and technology industry jobs without much success.

Known as the city where Chinese Communist Party rebels first defeated the Nationalists nearly a century ago, Nanchang is surrounded by other cities that are more compelling options for offices.

Nanchang had the same number of buildings higher than 200 meters, or roughly 60 stories, as Beijing in 2022. However, Beijing's population was three times larger and was the second-biggest city by economic output. Nanchang, by comparison, is 36th. In 2021, the commercial real estate firm JLL said the office vacancy rate in Nanchang was 40 percent.

With real estate appearing risky, a reluctance to buy.

Cinderella Fang, 28, was born and raised in Nanchang. When she was growing up, most apartments were in low-slung walk-up buildings, and there were no planned communities. She said the area near her childhood home had transformed into a sprawl of 30-story apartment complexes.

After going to a university in Beijing, Ms. Fang returned to Nanchang in 2019 hoping to find some work and possibly buy an affordable home. But she moved to Shanghai after a month, because the only job she could find in Nanchang was a marketing position that paid one-third of what she made in Beijing.

"The job market in Nanchang has not been very good," Ms. Fang said.

Other transplants to Nanchang were drawn to the prospect of reasonably priced apartments and strong public schools — only to encounter developers who could not deliver the homes they promised.

Shortly after her daughter was born in 2019, Andie Cao, who lives and works in Shanghai, bought an unfinished apartment in Nanchang. It was closer to her hometown in the Chinese countryside, and she planned to move after the developer was set to finish the project in late 2021.

But the developer ran into financial problems and stopped construction in July 2021. After continuing to pay the mortgage for a year, Ms. Cao and other homeowners staged a mortgage boycott last July.

Ms. Cao said that the salespeople had also told her that the apartment was in one of Nanchang's more established districts with good schools, but it was actually zoned for a neighboring, less developed area on the city's outskirts.

"Everyone was deceived," she said. "Otherwise, why would there be so many people buying a home in the suburbs?"

She said she was continuing to boycott, because the homes were still unfinished. She said the police had visited her parents to tell Ms. Cao to stop speaking out. The banks are now suing some of her boycotting neighbors.

"It's like an egg being smashed against a rock," Ms. Cao said. "I didn't expect this kind of thing to happen to ordinary people like us."

Zou Shengji, a real estate broker in Nanchang, said the negative publicity about the unfinished apartments had left many potential home buyers "afraid and worried."

During the Labor Day holidays in early May, usually a busy time for home sales, Mr. Zou's team sold fewer than 20 apartments, he said. It sold triple that amount in the same period two years ago.

Potential clients say they will come see the apartments but don't show up, he said. Clients are reluctant to buy because real estate feels too risky at the moment.

"Many people are sitting on the fence now," Mr. Zou said. "It's possible that homes will be really difficult to sell in the future."

Theranos Founder Holmes Reports to Prison in Texas After Fraud Convictions

FROM FIRST BUSINESS PAGE

watching from the street yelled her name.

F.P.C. Bryan's 655 inmates are required to work in the cafeteria or in a manufacturing facility, where pay starts at $1.15 an hour, according to the prison's handbook. Before starting work at the factory, Ms. Holmes may take a test to assess her strengths in such areas as business, clerical, numerical, logic, mechanical and "social." Inmates can also enroll in a "Lean Six Sigma" training program to learn about efficiency.

"We try to help our ladies obtain work in the factory which focuses on their strengths so they may develop additional marketable skills," the prison's handbook says.

Ms. Holmes, 39, was found guilty last year of four counts of wire fraud and conspiracy for falsely claiming that Theranos's blood tests could detect a variety of ailments with just a few drops of blood. She and her former business partner, Ramesh Balwani, must together pay $452 million in restitution to investors who were defrauded. Ms. Holmes has appealed her case, though her requests to remain out of prison during the appeal have been denied.

Ms. Holmes founded Theranos in 2003 after dropping out of Stanford University at age 19. The company raised $950 million in funding, making her a billionaire on paper. Theranos collapsed in 2018. Ms. Holmes and Mr. Balwani were indicted that year.

The pair were tried separately. Mr. Balwani was convicted on 12 counts of fraud and is serving a nearly 13-year sentence in a federal prison in San Pedro, Calif. He has also appealed his case.

Ms. Holmes's sentence was meant to send a message to others in Silicon Valley: There are consequences when ambitious start-up founders take an ethos known as "fake it till you make it" — when

ANNIE MULLIGAN FOR THE NEW YORK TIMES

Elizabeth Holmes, left, founder of the failed blood testing start-up Theranos, turned herself in at the federal prison in Bryan, Texas, on Tuesday.

entrepreneurs speak ambitiously about what their companies can do, even if the companies can't yet do those things — too far. Despite the tech industry's long history of stretching the rules, as entrepreneurs invent new businesses and disrupt old ones, few have ever gone to prison for lying.

Since her conviction, Ms. Holmes has been living in a rental home in San Diego near the family of Billy Evans, who is the father of her two children. During her trial, held in San Jose, Calif., Ms. Holmes and Mr. Evans lived in a home on the grounds of Green Gables, a $135 million estate in the wealthy town of Woodside.

Their two young children, William and Invicta, will be able to conduct video calls with Ms. Holmes and visit her on weekends and federal holidays. Phone calls are limited to 15 minutes each, with a total of 300 minutes per month.

At F.P.C. Bryan, Ms. Holmes, known for wearing black turtlenecks to mimic Steve Jobs while running Theranos and, during her trial, sporting heels, sheath dresses and a diaper bag, will wear prison-issued khaki pants and shirts in pastel green, gray or white with athletic shoes that must not exceed $100 in value.

She will not have any internet access but can buy a radio ($31.75) or an MP3 player ($88.40) from the commissary. All music must be "non-explicit," according to the prison's handbook.

F.P.C. Bryan offers leisure activities including music programs, "table games" and movies, according to its handbook. Arts and crafts are available, including beading, knitting, paper art, crochet and ceramics. A crochet needle costs $1.30 and yarn is $3.55 at F.P.C. Bryan's commissary, according to the handbook.

Inmates have access to an outdoor "recreation yard pavilion" but must return to their dorms for head counts that occur five times every 24 hours.

Counterfeiting or forging documents and conducting a business are against the rules. Ms. Holmes admitted to falsifying pharmaceutical reports to solicit investors while testifying in her trial.

Other inmates at the prison camp include Jen Shah, a "Real Housewives of Salt Lake City" star who is serving a five-and-a-half-year sentence for wire fraud related to telemarketing. In a blog post from March about her first few days in prison, Ms. Shah described difficulty operating the phone system, which uses account numbers, and noted that not many people were nice. Breakfast was instant oatmeal, an apple and a slice of wheat bread with jelly, she wrote.

Lea Fastow, a former executive for the collapsed energy company Enron, was incarcerated for tax fraud at F.P.C. Bryan for 11 months in the mid-2000s. Jenna Ryan, a participant in the Jan. 6, 2021, attack on the U.S. Capitol, spent 60 days there. And Michelle Janavs, daughter of a Hot Pockets co-founder, served five months for her association with the "Operation Varsity Blues" college admissions scandal.

Three inmates escaped F.P.C. Bryan in 2017. One of them, Edith Lara, who was serving time for drug charges, has not been found, according to the Bureau of Prisons website.

Annie Mulligan contributed reporting.

UCC PUBLIC SALE NOTICE

PLEASE TAKE NOTICE that on June 27, 2023 commencing at 11:00 a.m. Eastern Prevailing Time (the "Sale Date"), both in-person and remotely outside of the New York Supreme Court located at 60 Centre Street, New York, New York 10007, with access afforded in person and remotely via Zoom or other web-based video conferencing and/or telephonic conference program selected by Secured Party (defined below). The details of the sale will be provided to interested parties in advance of the Sale Date pursuant to the Terms of Public Sale (described below), based upon the occurrence of one or more Events of Default under certain documents (the "Loan Documents") copies of which are available for inspection as described below, pursuant to such Loan Documents and Article 9 of the Uniform Commercial Code as enacted in the State of New York ("UCC"), KBM Owner LLC, a Delaware limited liability company ("Secured Party") shall dispose of, by public sale, the right, title, and interest of Adventus Holdings LP, a Delaware limited partnership and Adventus Highland 5 GP LLC, a Delaware limited liability company, as pledgors (each a "Debtor" and collectively, "Debtors") in and to the following assets (collectively, the "Collateral"): (i) ninety-nine and one-half percent (99.5%) of the partnership interests in Adventus US Realty #9 LP, a Delaware limited partnership (the "Pledged Entity"); (ii) one-half of one percent (0.5%) of the partnership interests in the Pledged Entity; and (iii) all other assets pledged by either Debtor under the Loan Documents. The public sale shall be conducted by Racebrook Marketing Concepts, LLC, by Jonathan Cuticelli, Auctioneer, NYC License No. 1387302-DCA, or such other auctioneer licensed in the State of New York as is selected by Secured Party in its sole and absolute discretion.

Based upon information provided by Debtors, Pledged Entity, and certain other persons and entities affiliated with the Debtors or Pledged Entity, it is the understanding of Secured Party (but without any representation or warranty by Secured Party as to the accuracy or completeness of the following matters) that: (i) collectively, Debtors own one hundred percent (100%) of the partnership interests in Pledged Entity (the "Partnership Interests"); (ii) Debtors collectively indirectly own a total of one hundred percent (100%) of the fee interest in the real property known as 3005 Highland Parkway, Downers Grove, Illinois 60515 (the "Premises"), as more particularly described in that certain Mortgage, Assignment of Leases and Rents and Security Agreement dated as of October 30, 2020, as amended by that certain First Amendment to Mortgage, Assignment of Leases and Rents and Security Agreement dated as of November 9, 2022, held by Secured Party (the "Mortgage"); and (iii) the Premises are encumbered by and subject to, among other things, the Mortgage securing indebtedness under the Loan Agreement dated as of October 30, 2020, as amended by that certain First Amendment to Loan Agreement, Omnibus Loan Modification Agreement and Reaffirmation by Guarantor dated as of November 9, 2022, in the original principal amount of $35,670,000, all of which are held by Secured Party.

The Collateral is offered "AS IS, WHERE IS", with all faults, and Secured Party makes no guarantee, representation, or warranty (including, without limitation, any representation or warranty of merchantability or fitness), express or implied, of any kind or nature whatsoever.

Secured Party will be permitted to bid at the sale, and notwithstanding any requirement in this UCC Public Sale Notice that the sale of the Collateral be for cash, Secured Party may credit bid all or any portion of the outstanding balance of the amounts due under the Loan Documents. Secured Party reserves the right, in its sole and absolute discretion, to (a) reject all bids and terminate the sale or adjourn the sale to such other date and time as Secured Party may deem proper, by announcement at the place and on the date of sale, and any subsequent adjournment of the sale, without further publication, and (b) impose any other commercially reasonable conditions upon the sale of the Collateral as Secured Party may deem proper in its sole and absolute discretion.

The Partnership Interests are unregistered securities under the Securities Act of 1933 as amended. Because of this, each prospective bidder seeking to be a "Qualified Bidder" (as determined by Secured Party in its sole and absolute discretion) shall be required, among other things, to execute and deliver to Secured Party a "Bidding Certificate" certifying, among other things, that such bidder: (i) will acquire the Collateral for investment purposes, solely for its own account and not with a view to distribution or resale; (ii) is an accredited investor within the meaning of the applicable securities laws; (iii) has sufficient knowledge and experience in financial and business matters so as to be capable of evaluating the merits and risks of investment and has sufficient financial means to afford the risk of investment in the Collateral; and (iv) will not resell or otherwise hypothecate the Collateral without either a valid registration under applicable federal or state laws, including without limitation the Securities Act of 1933 as amended, or an available exemption from applicable federal or state laws, including without limitation the Securities Act of 1933 as amended.

The public sale of the Collateral shall be subject to the further terms and conditions set forth in the "Terms of Public Sale" (including without limitation terms and conditions with respect to the availability of additional information, bidding requirements, deposit amounts, bidding procedures, and the consummation of the public sale), which are available online at www.highlandlandmarkvuccsale.com and by contacting: Jones Lang LaSalle Americas, Inc., 330 Madison Avenue, New York, New York 10017, Attn: Brett Rosenberg, tel. (212) 812-5926, email Brett.Rosenberg@jll.com.

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GOVERNMENT FUNDING

PETE MAROVICH FOR THE NEW YORK TIMES

President Biden meeting with construction workers at the site of a new Intel semiconductor manufacturing facility in New Albany, Ohio, last year.

Focus on Cuts Threatens Plan to Aid Chip Sector

FROM FIRST BUSINESS PAGE

ic research — for the 2024 fiscal year. It also limits all discretionary spending to 1 percent growth in 2025, which is effectively a budget cut since that is likely to be slower than the rate of inflation.

Concerns about whether the CHIPS Act would receive its promised funding were growing even before the debt limit showdown. Lawmakers have already fallen short in appropriating the full amount of funding authorized by the legislation.

Most of the focus has been on the $52 billion the law provided to ramp up semiconductor manufacturing and research in the United States. That money is not expected to be at risk because it has already been appropriated. But the legislation also authorized about $170 billion for a number of key initiatives to boost research and development, which has to be approved by lawmakers each year through a separate appropriations process. As a result, the remaining portion of funding could be subject to cuts or shortfalls in the coming years.

Funding levels for government agencies that were intended to receive bigger increases have already fallen short by billions. In the 2023 fiscal year, about $9.87 billion was appropriated for the National Science Foundation, down from the $11.9 billion authorized by the CHIPS Act. About $8.1 billion was approved for the Energy Department's Office of Science, down from $8.9 billion in authorized funds.

The total funding for research agencies was nearly $3 billion short of authorized levels this year, according to a recent Brookings Institution analysis.

Mr. Biden has underscored the increased funding for research and development in the package, promising that it would ensure the United States "leads the world in the industries of the future."

"This bill is about more than chips — it's about science as well," Mr. Biden said after Congress passed the bill last year.

Agency leaders have been urging congressional appropriators to approve the full amount of funding to help achieve those goals. Sethuraman Panchanathan, director of the National Science Foundation, said the money would help the nation lead in industries that were listed as key focus areas, such as artificial intelligence and biotechnology.

"We have to make sure that the science portion is funded fully," Mr. Panchanathan said.

Additional funding could allow the agency to invest more in a new department that aims to accelerate breakthroughs in key technologies, in part by creating pathways for researchers and startups to move their ideas from labs to the market. It could also help the agency expand A.I. research and training programs aimed at building up the nation's STEM work force, which agency officials said were critical since the country is facing a shortage of workers to build semiconductors.

With additional money, the Energy Department's Office of Science could invest more in upgrading infrastructure at its laboratories and advancing basic scientific research that underpins clean energy technologies, such as those that more efficiently capture carbon from the atmosphere and other waste streams.

The Commerce Department's $10 billion effort to invest in areas with the potential to "become globally competitive" through the creation of at least 20 "technology and innovation hubs" across the country has received only 5 percent of funding so far. The five-year program, overseen by the department's Economic Development Administration, aims to revitalize regions by creating jobs and strengthening the capacity to manufacture and deploy critical technologies.

Alejandra Castillo, a top Commerce official, called the $500 million in appropriated funds a "down payment" to lay the foundation of the program.

"With additional appropriations, E.D.A. can enable more tech hubs regions and invest in complementary projects that could alter the trajectory of job creation, innovation in key technologies and the scaling of industries of the future," Ms. Castillo said in a statement.

Lawmakers from both parties have urged congressional appropriators to fully fund the law's initiatives, although some acknowledged that could be more challenging with limits on spending.

Representative Frank Lucas, an Oklahoma Republican and the chair of the House Committee on Science, Space and Technology, said that he had been "very frustrated with how the funding of science has gone" in the United States in recent years and that he was "a little tense waiting to see" how much government funding would be available over the next few years.

"I'll be out there hustling to make sure that science and research get their fair share," Mr. Lucas said, adding that he understood that congressional appropriators had to work with constraints.

Representative Ro Khanna, a California Democrat who represents parts of Silicon Valley, said lawmakers should be "putting more urgency" into the law's funding. He argued that failing to fully fund the efforts would hurt the country's ability to lead in manufacturing and cutting-edge technology developments.

"A bill is fine, but without the money, it doesn't mean anything," Mr. Khanna said. "To make America a manufacturing superpower, we have to have advances in technology. Technology has to be the driver of that because it requires massive increases in productivity."

Some have argued that the U.S. could fall behind other countries that have also pledged to increase investments in scientific research and technological developments, such as China.

"These folks are saying we want to not cede the future to China," said Representative Zoe Lofgren of California, the top Democrat on the House science committee. "If you don't do adequate investments in science, that's exactly what they're doing."

Matt Hourihan, an author of the Brookings analysis and the associate director of research and development and advanced industry at the Federation of American Scientists, said the programs losing out on funding were vital to enhancing the country's competitiveness, since they could help the United States make new discoveries that could "translate into commercial products" and be manufactured domestically. He added that the nation was "rapidly falling away from the original vision" of the law.

"Others, including China, are making similar investments in a lot of these technology areas," Mr. Hourihan said. "If we aren't investing to compete and achieve global leadership in these various fields of science and technology, then others will."

At the end of last year, a bipartisan group of senators, led by Senator Maria Cantwell, a Washington Democrat and the chair of the Senate Committee on Commerce, Science and Transportation, sent a letter to congressional appropriators urging them to fully fund the law, which the group said would help scale up the nation's highly skilled work force and strengthen American innovation.

The senators noted that funding for previously passed pieces of legislation meant to expand the nation's investments in scientific research and development had also fallen short by billions of dollars, which they said prohibited government agencies from fully delivering on their potential and led to increased supply chain vulnerabilities.

The senators argued that Congress must avoid the same pitfalls by fully funding the CHIPS Act.

"The strong focus on semiconductors is welcome, but the bill aspires to commence more substantial investment in a bunch of other technologies as well," said Mark Muro, a senior fellow at Brookings and an author of the Brookings analysis. "That depends on funding the 'and science' part of the bill better."

This announcement is neither an offer to purchase nor a solicitation of an offer to sell Shares (as defined below). The Offer (as defined below) is made solely by the Offer to Purchase (as defined below), and the related Letter of Transmittal (as defined below) and any amendments or supplements thereto. The Offer is being made to all holders of Shares. Purchaser (as defined below) is not aware of any jurisdiction in which the making of the Offer or the acceptance thereof would be prohibited by securities, "blue sky" or other valid laws of such jurisdiction. If Purchaser becomes aware of any U.S. state in which the making of the Offer or the acceptance of Shares pursuant thereto would not be in compliance with an administrative or judicial action taken pursuant to U.S. state statute, it will make a good faith effort to comply with any such law. If, after such good faith effort, it cannot comply with any such law, the Offer will not be made to (nor will tenders be accepted from or on behalf of) the holders of Shares in such state. In those jurisdictions, if any, where applicable laws require the Offer to be made by a licensed broker or dealer, the Offer will be deemed to be made on behalf of Purchaser by one or more registered brokers or dealers licensed under the laws of such jurisdiction to be designated by Purchaser.

Notice of Offer to Purchase for Cash
All Outstanding Registered Ordinary Shares
of

VectivBio Holding AG

at

$17.00 per share in cash,

without interest and subject to any applicable withholding taxes

Pursuant to the Offer to Purchase, dated May 31, 2023

by

Ironwood Pharmaceuticals, Inc.

Ironwood Pharmaceuticals, Inc., a Delaware corporation ("Purchaser") is offering to purchase all of the outstanding registered ordinary shares, nominal value of CHF 0.05 per share (the "Shares"), of VectivBio Holding AG, a Swiss stock corporation (*Aktiengesellschaft*) organized under the laws of Switzerland ("VectivBio") for $17.00 per Share, net to the shareholders of VectivBio in cash, without interest and subject to any applicable withholding taxes (the "Offer Price"), on the terms and subject to the conditions set forth in the offer to purchase, dated as of May 31, 2023 (the "Offer to Purchase") and in the related letter of transmittal (the "Letter of Transmittal"). The Offer to Purchase and Letter of Transmittal collectively constitute the "Offer".

THE OFFER AND WITHDRAWAL RIGHTS WILL EXPIRE AT ONE MINUTE AFTER 11:59 P.M. EASTERN TIME ON JUNE 28, 2023 UNLESS THE OFFER IS EXTENDED OR EARLIER TERMINATED.

Tendering shareholders who are record owners of Shares and who tender directly to Computershare Trust Company, N.A., the depositary and paying agent for the Offer (the "Depositary"), will not be obligated to pay brokerage fees or commissions pursuant to the Offer. Each owner or holder of a Share will pay any and all transfer taxes (including, for the avoidance of doubt, any stock, stamp, or duty tax) required by reason of any payment to a person other than the registered holder of Shares as set forth in Instruction 6 of the Letter of Transmittal. Shareholders who hold their Shares through a broker, dealer, commercial bank, trust company or other nominee should consult with their broker, dealer, commercial bank, trust company or other nominee to determine if they will be charged any service fees or commissions.

The Offer is being made pursuant to the Transaction Agreement, dated as of May 21, 2023, by and between Purchaser and VectivBio (as it may be amended from time to time, the "Transaction Agreement").

Pursuant to the Transaction Agreement, Purchaser's obligation to accept for payment and pay for any Shares tendered pursuant to the Offer is subject to customary conditions, including: (i) that prior to the expiration of the Offer, there shall have been validly tendered (not counting as validly tendered any Shares tendered pursuant to guaranteed delivery procedures that have not been delivered in settlement or satisfaction of such guarantee) and not withdrawn a number of Shares that, together with the Shares, if any, then owned by Purchaser or any of its subsidiaries, represent at least one Share more than 80% of the number of the Shares issued and outstanding as of the expiration of the Offer (excluding any Shares held by VectivBio or any of its subsidiaries) (the "Minimum Condition"); (ii) that prior to the expiration of the Offer, the applicable waiting period (and any extension thereof) under the Hart-Scott-Rodino Antitrust Improvements Act of 1976, as amended shall have expired or been terminated (the "Antitrust Condition"); (iii) that prior to the expiration of the Offer, the shareholders of VectivBio shall have approved certain amendments to VectivBio's articles of association as agreed between Purchaser and VectivBio and the conditional election to the VectivBio board of directors and the compensation committee thereof of the individuals designated by Purchaser; (iv) that the Transaction Agreement shall not have been terminated in accordance with its terms; and (v) those certain other conditions set forth in the Transaction Agreement (collectively, the "Offer Conditions"). The consummation of the Offer is not subject to any financing condition.

The Transaction Agreement is more fully described in the Offer to Purchase.

The Offer will expire at one minute after 11:59 p.m. Eastern Time on June 28, 2023, which is the date that is 20 business days after the commencement of the Offer (the "Expiration Date"), unless the Offer has been extended or earlier terminated pursuant to and in accordance with the terms of the Transaction Agreement (in which event the "Expiration Date" will mean the latest time and date at which the Offer, as so extended, will expire). The time of acceptance for payment by Purchaser of all Shares validly tendered and not validly withdrawn in the Offer pursuant to and subject to the conditions of the Offer is referred to as the "Acceptance Time".

THE BOARD OF DIRECTORS OF VECTIVBIO UNANIMOUSLY RECOMMENDS THAT VECTIVBIO SHAREHOLDERS ACCEPT THE OFFER AND TENDER THEIR SHARES PURSUANT TO THE OFFER.

After careful consideration, the board of directors of VectivBio, among other things, has unanimously (i) determined that the terms of the Transaction Agreement, the Offer and the transactions contemplated thereby are fair to, and to the benefit of and in the best interests of, VectivBio and its shareholders; (ii) declared it advisable to enter into the Transaction Agreement and any future agreements implementing the provisions of the Transaction Agreement; (iii) approved the execution, delivery and performance by VectivBio of the Transaction Agreement and the consummation of the transactions contemplated thereby, including the Offer; and (iv) resolved and agreed to recommend that VectivBio's shareholders accept the Offer and tender their Shares pursuant to the Offer.

The Transaction Agreement provides, among other things, that following the completion of the Offer and provided that at such time Purchaser directly or indirectly has acquired or controls at least 90% of the then outstanding Shares (excluding Shares held by VectivBio or any of its subsidiaries), Purchaser intends that, in accordance with the laws of Switzerland and a merger agreement expected to be entered into between Ironwood Pharmaceuticals GmbH, a limited liability company organized under the laws of Switzerland and a subsidiary of Purchaser ("Merger Sub") and VectivBio, Merger Sub and VectivBio will consummate a statutory squeeze-out merger under applicable Swiss law pursuant to which VectivBio will be merged with and into Merger Sub, and Merger Sub will continue as the surviving entity (the "Merger"). At the effective time of the Merger, each Share (other than Shares held by VectivBio or any of its subsidiaries immediately prior to the Acceptance Time) that is not validly tendered and accepted pursuant to the Offer or acquired by Purchaser after the Acceptance Time will thereupon be canceled and converted into the right to receive the Offer Price.

In the event that the Acceptance Time occurs and the number of Shares validly tendered (and not validly withdrawn) pursuant to the Offer, together with any Shares then directly or indirectly owned by Purchaser, represents less than 90% of the then outstanding Shares (excluding Shares held by VectivBio or any of its subsidiaries), Purchaser may not be able to complete the Merger in a timely manner, or at all, and acquire 100% of all outstanding Shares. Accordingly, non-tendering shareholders of VectivBio may not receive any consideration for such Shares, and the liquidity and value of any Shares that remain outstanding could be negatively affected. Following the completion of the Offer, until the Merger is consummated (if at all), any remaining, non-tendering shareholder of VectivBio will be a minority shareholder of VectivBio with a limited ability, if any, to influence the outcome on any matters that are or may be subject to shareholder approval, including the election of directors, the issuance of shares or other equity securities, the payment of dividends and the acquisition or disposition of substantial assets. In addition, following the completion of the Offer, to the extent permitted under applicable law and stock exchange regulations, Purchaser intends to delist the Shares from Nasdaq. Following delisting of the Shares from Nasdaq and provided that the criteria for deregistration are met, Purchaser intends to cause VectivBio to make a filing with the United States Securities and Exchange Commission ("SEC") requesting that VectivBio's reporting obligations under the Securities Exchange Act of 1934, as amended (together with the rules and regulations promulgated thereunder, the "Exchange Act") be terminated. Deregistration would substantially reduce the information required to be furnished by VectivBio to its shareholders and to the SEC and would make certain provisions of the Exchange Act no longer applicable to VectivBio. In addition, the amount of publicly held Shares may be so few that there may no longer be an active trading market for Shares. The absence of an active trading market, and corresponding lack of analyst coverage, could reduce the liquidity and, consequently, the market value of your Shares.

The Transaction Agreement contains provisions that govern the circumstances in which Purchaser must or is permitted or required to extend the Offer. The Transaction Agreement provides that: (i) Purchaser will extend the Offer on one or more occasions, in Purchaser's discretion, for an additional period of up to ten (10) business days per extension, if, as of the then-scheduled Expiration Date, any Offer Condition has not been satisfied or waived, to permit such Offer Condition to be satisfied; (ii) Purchaser will extend the Offer for any period required by any rule, regulation, interpretation or position of the SEC or the staff thereof or the rules of the Nasdaq applicable to the Offer; and (iii) the Expiration Date will be extended if, at the then-scheduled expiration time of the Offer, VectivBio brings or shall have brought any action in accordance with the terms of the Transaction Agreement to enforce specifically the performance of the terms and provisions thereof by Purchaser, (x) for the period during which such action is pending or (y) by such other time period established by the court presiding over such action, as the case may be.

In no event will Purchaser be required to extend the Offer beyond the earlier to occur of (i) the valid termination of the Transaction Agreement pursuant to its terms, and (ii) the first date immediately following October 31, 2023. The obligation to extend the Offer is further limited as described in the Offer to Purchase. For purpose of the Offer, as provided under the Exchange Act, a "business day" means any day other than a Saturday, Sunday or a U.S. federal holiday and consists of the time period from 12:01 a.m. through 12:00 midnight, Eastern Time.

Purchaser expressly reserves the right, to the extent permitted by the applicable legal requirements, (i) to increase the Offer Price, (ii) waive any Offer Condition (other than the Minimum Condition, if the validly tendered and not withdrawn number of Shares, together with the Shares, if any, then owned by Purchaser or any of its subsidiaries, would represent at least one Share less than 66.67% of the number of Shares issued and outstanding, or the Antitrust Condition), and (iii) modify any of the other terms and conditions of the Offer not inconsistent with the terms of the Transaction Agreement; except that, without the consent of VectivBio, Purchaser will not (A) reduce the Offer Price, (B) change the form of consideration payable in the Offer (other than by adding consideration), (C) reduce the number of Shares sought in the Offer, (D) add to the Offer Conditions described in Section 15—"Conditions to the Offer" of the Offer to Purchase, (E) amend, modify or waive the Offer Conditions in a manner that would, individually or in the aggregate, reasonably be expected to prevent or materially delay the consummation of the Offer or prevent, materially delay or impair Purchaser's ability to consummate the Offer, (F) change or waive the Minimum Condition, if the validly tendered and not withdrawn number of Shares, together with the Shares, if any, then owned by Purchaser or any of its subsidiaries, would represent at least one Share less than 66.67% of the number of Shares issued and outstanding, or the Antitrust Condition, (G) extend or otherwise change the Expiration Date in a manner other than as required or permitted by the Transaction Agreement, or (H) provide any "subsequent offering period" (or any extension thereof) within the meaning of Rule 14d-11 promulgated under the Exchange Act.

Any extension, delay, termination, waiver or amendment of the Offer will be followed as promptly as practicable by public announcement thereof. In the case of an extension of the Offer, such announcement will be made no later than 9:00 a.m., Eastern Time, on the next business day after the previously scheduled Expiration Date. Subject to applicable law (including Rules 14d-4(d), 14d-6(c) and 14e-1 under the Exchange Act, which require that material changes be promptly disseminated to shareholders in a manner reasonably designed to inform them of such changes) and without limiting the manner in which Purchaser may choose to make any public announcement, Purchaser will have no obligation to publish, advertise or otherwise communicate any such public announcement other than by issuing a press release to a national news service.

For purposes of the Offer, Purchaser will be deemed to have accepted for payment, and thereby purchased, Shares validly tendered and not validly withdrawn, if and when Purchaser gives oral or written notice to the Depositary of Purchaser's acceptance for payment of such Shares pursuant to the Offer. Upon the terms and subject to the Offer Conditions, payment for Shares accepted for payment pursuant to the Offer will be made by deposit of the Offer Price for such Shares with the Depositary, for the purpose of receiving payments from Purchaser and transmitting payments to tendering shareholders whose Shares have been accepted for payment. Under no circumstances will interest with respect to the Shares purchased pursuant to the Offer be paid, regardless of any extension of the Offer or delay in making such payment.

No alternative, conditional or contingent tenders will be accepted.

In order for a VectivBio shareholder to validly tender Shares pursuant to the Offer, the shareholder must follow one of the following procedures:

- If you are a holder and you hold Shares directly in your name in book-entry form in an account with VectivBio's transfer agent, Computershare Trust Company, N.A., a properly completed and duly executed Letter of Transmittal, together with any required signature guarantees and any other required documents, must be received by the Depositary at one of its addresses set forth on the back cover of the Offer to Purchase before the Expiration Date. If you hold your shares in book-entry at The Depository Trust Company, you are not obligated to submit a Letter of Transmittal, but you must (1) submit an Agent's Message (as defined in the Offer to Purchase) and (2) deliver your Shares according to the DTC book-entry transfer procedures described in the Offer to Purchase before the Expiration Date;
- If you hold Shares through a broker, dealer, commercial bank, trust company or other nominee, you must contact your broker, dealer, commercial bank, trust company or other nominee and give instructions that your Shares be tendered; or
- For Shares tendered by a Notice of Guaranteed Delivery, the tendering shareholder must comply with the guaranteed delivery procedures described in the Offer to Purchase before the Expiration Date.

Shares tendered in the Offer may be withdrawn according to the procedures set forth below at any time on or before the Expiration Date. In addition, pursuant to Section 14(d)(5) of the Exchange Act, the Shares may be withdrawn at any time after July 30, 2023, which is the 60th day after the date of the Offer, unless prior to that date Purchaser has accepted for payment the Shares tendered in the Offer.

For a withdrawal to be effective, a written notice of withdrawal must be timely received by the Depositary at its address set forth on the back cover of the Offer to Purchase and must specify the name of the person who tendered the Shares to be withdrawn, the number and type of Shares to be withdrawn and the name of the registered holder of such Shares, if different from that of the person who tendered such Shares. If Shares have been tendered according to the procedures for book-entry transfer of Shares held through the Book-Entry Transfer Facility (as defined in the Offer to Purchase), any notice of withdrawal must also specify the name and number of the account at the Book-Entry Transfer Facility to be credited with the withdrawn Shares and otherwise comply with the Book-Entry Transfer Facility's procedures.

Withdrawals of tendered Shares may not be rescinded, and any Shares properly withdrawn will no longer be considered validly tendered for purposes of the Offer. However, withdrawn Shares may be retendered by following one of the procedures described in the Offer to Purchase at any time on or before the Expiration Date.

All questions as to the validity, form, eligibility (including time of receipt) and acceptance for payment of any tender of Shares will be determined by Purchaser in its sole discretion. Purchaser reserves the absolute right to reject any and all tenders determined by Purchaser not to be in proper form or the acceptance for payment of which may, upon the advice of Purchaser's counsel, be unlawful.

None of Purchaser, the Depositary, the Information Agent (as defined below) or any other person will be under any duty to give notification of any defects or irregularities in tenders or incur any liability for failure to give any such notification. Purchaser's interpretation of the terms and conditions of the Offer (including the Letter of Transmittal and the instructions thereto) will be determined by Purchaser in its sole discretion.

VectivBio has provided Purchaser with its shareholder list and security position listings for the purpose of disseminating the Offer to holders of Shares. The Offer to Purchase and the Letter of Transmittal will be mailed to record holders of Shares whose names appear on the shareholder list provided to Purchaser by VectivBio and will be furnished, for subsequent transmittal to beneficial owners of Shares, to brokers, dealers, commercial banks, trust companies and other persons whose names, or the names of whose nominees, appear on the shareholder list or, if applicable, who are listed as participants in a clearing agency's security position listing for subsequent transmittal to beneficial owners of Shares.

The receipt of cash by United States Holders (as defined in the Offer to Purchase), in exchange for Shares pursuant to the Offer or the Merger, as applicable, will generally be a taxable transaction for U.S. federal income tax purposes. In general, and subject to the "passive foreign investment company" rules discussed in the Offer to Purchase, United States Holders will recognize gain or loss in an amount equal to the difference, if any, between their adjusted tax basis in the Shares tendered into the Offer or exchanged in the Merger and the amount of cash received for such Shares (determined before deduction of any applicable withholding taxes). **Each holder of Shares should consult with its tax advisor as to the particular tax consequences to such holder of tendering Shares into the Offer or having Shares converted into the right to receive cash in the Merger.**

The Offer to Purchase, the Letter of Transmittal and VectivBio's Solicitation/Recommendation Statement on Schedule 14D-9 (which contains the recommendation of the Board of Directors of VectivBio with respect to the Offer and the reasons therefor) contain important information. Shareholders should carefully read these documents in their entirety before making a decision with respect to the Offer.

Questions or requests for assistance or copies of the Offer to Purchase, the Letter of Transmittal, and other tender offer materials should be directed to Innisfree M&A Incorporated (the "Information Agent") at its telephone numbers and address set forth below. Such copies may be furnished at Purchaser's expense. Additionally, copies of the Offer to Purchase, the Letter of Transmittal and any other material related to the Offer may be obtained at the website maintained by the SEC at www.sec.gov. Shareholders may also contact brokers, dealers, commercial banks, trust companies or other nominees for assistance concerning the Offer. Purchaser will not pay any fees or commissions on the sale of Shares to any broker or dealer or to any other person (other than to the Depositary and the Information Agent) in connection with the solicitation of tenders of Shares pursuant to the Offer. Brokers, dealers, commercial banks, trust companies and other nominees will, upon request, be reimbursed by Purchaser for customary mailing and handling expenses incurred by them in forwarding the Offer materials to their customers.

The Information Agent for the Offer is:

Innisfree®

Innisfree M&A Incorporated
501 Madison Avenue, 20th Floor
New York, New York 10022

Shareholders may call toll free: (877) 750-0537
Banks and Brokers may call collect: (212) 750-5833

May 31, 2023

Commercial Real Estate

Movie Theater Owners Want You Back

Stressing quality over quantity, with upgrades like larger screens and heated seats.

PHOTOGRAPHS BY EMIL LIPPE FOR THE NEW YORK TIMES

A family filling up their popcorn bucket, top, at EVO Entertainment in Southlake, Texas, this month. Theaters are installing heated lounge chairs that fully recline; some have built-in trays and buttons to summon waiters.

Square Feet

By JANE MARGOLIES

More than three years after the pandemic slammed movie theaters, reducing the flow of new films and keeping patrons away, operators hope a slew of wide releases this summer will finally get those who have grown accustomed to streaming movies at home back into theaters.

If they do return — for "The Little Mermaid," "Barbie" or the latest from the Spider-Man and Indiana Jones franchises — moviegoers may find that the spaces look and feel different.

Cinemas were already upgrading before the pandemic — bringing in cushier seating, bigger screens, better sound equipment, and tastier food and beverage options.

But many theaters also went into 2020 with thin margins and may have survived only because of federal pandemic relief programs. Now cinemas are spending millions of dollars to beef up their offerings and surpass moviegoing of old.

"There's an urgency now," said Mike Polydoros, president of PaperAirplane Media, a cinema marketing agency.

Theaters are installing heated lounge chairs that fully recline or have built-in trays and buttons to summon waiters. Some seats move in sync with the movie's action or provide special effects such as a blast of air during a windy scene, tricks that were once typical only at amusement parks. Some auditoriums now have screens on the sides as well as at the front. Menu options have grown ever more sophisticated. Sushi, anyone? You can wash it down with an I.P.A.

Theaters are offering other thrills. One outside Fort Worth built a gangplank 22 feet above an arcade floor — walk it if you dare. Another in Dobbs Ferry, N.Y., has a kitchen and lobby bar with TV screens so a customer can, say, catch the end of a ballgame before the feature starts.

Emma Boonshoft, 30, a public relations consultant, said she had not been to the movies with her husband since before the pandemic. But they tried the Dobbs Ferry venue, part of the Look Dine-In Cinemas chain, after it opened, sharing a pizza and a salad before "80 for Brady."

"It felt like a real date night," she said.

Not surprisingly, such excursions now cost more, and not just because of pricier refreshments: Some theaters are charging 65 percent more for a movie shown on the jazziest new screens like ScreenX and RealD 3D.

The upgrades are part of an effort to make up for lost time. Domestic box office earnings so far this year still don't match prepandemic levels. And experts say it could take years for the movie theater industry to recover from pandemic losses, possibly hampering operators' ability to make investments to stay competitive.

"There's tremendous optimism within the industry right now but we also have to be mindful of what happened a few years ago," said Michael O'Leary, president and chief executive of the National Association of Theater Owners, a trade organization. "That compels us to keep innovating."

Streaming presented a challenge before the pandemic, but when theater owners were forced to shut down and restrict capacity, Hollywood studios started releasing movies to streaming services and theaters simultaneously, or sidestepping theaters altogether. Movie theaters, also known as exhibitors, lost 80 percent of their domestic box office revenue in 2020, according to Comscore, which compiles moviegoing data.

Many exhibitors renegotiated their leases during the pandemic and used funds from the federal government's shuttered-venue-operators grant program to pay rent.

Some theaters didn't make it. About 5,000 remain in the United States, down from 5,869 in 2019, according to the theater trade group; the number of screens fell to 39,007, from 41,172. Even drive-ins — which enjoyed a renaissance during the pandemic because of safety concerns about indoor venues — shrank in number.

The new emphasis is on quality over quantity, industry experts say, with new theaters going smaller, with fewer screens. Lounge chairs take up more space than upright seats, so auditoriums accommodate fewer patrons.

"They're not building 24-screen theaters anymore," said James O'Neil, an executive director at Cushman & Wakefield, a commercial real estate services firm.

EVO Entertainment, one of a handful of companies creating "cinema entertainment centers," turned a 14-screen theater in Southlake, Texas, into an eight-screen venue with a restaurant, a rock-climbing wall, a ropes course, bowling, bumper cars — and that aforementioned gangplank. The cost: more than $10 million, about the same to build a complex from scratch, said Mitch Roberts, the company's chief executive.

"You can't do the bare minimum anymore," he added.

Such extravaganzas may be difficult to pull off in dense urban locations. But cinemas all over have been upgrading their technology, from ticketing to projection systems.

"It's become an arms race," said Paul Dergarabedian, a senior media analyst at Comscore.

Many operators are installing premium large-format screens — which include IMAX systems, with their giant, curving screens, and ScreenX, which projects films in the front and on the sides.

Showings on these screens often sell out first and account for an increasing share of box office revenue. The screens generated about 9.2 percent of domestic revenue in 2019, according to Comscore, which predicts they will bring in nearly 17 percent of revenue this year.

At some Marcus Theaters locations, auditoriums with large-format screens also have recliners that heat up — and the company even sells blankets so you can get really cozy.

The average ticket price has inched up to $10.53 last year from $9.16 in 2019, according to the Cinema Foundation, a nonprofit arm of the National Association of Theater Owners. That can jump to $20 or more for a movie in an auditorium with extra-large screens or 3D. And customers appear willing to pay to see blockbusters at their best.

Theater chains are also experimenting with premium pricing for the best seats in the house and highly anticipated movies on opening weekends.

Some operators continue to lean into food and beverage offerings, including upgraded concession items that moviegoers can order in advance and restaurant operations with servers at patrons' beck and call.

New on the menu: bowls and salads. Cinépolis theaters now serve nachos with real or vegan cheese. Look Dine-In is brewing its own beer in Chandler, Ariz. Theater bartenders are concocting movie-themed cocktails.

Food and alcohol sales bring higher profits than ticket sales, a big chunk of which goes to studios. "That's why you're seeing so many theaters add bars," said Mark Hunter, a managing director at CBRE, a commercial real estate services firm.

Exhibitors are also taking cues for investments from their loyalty-programs data, said Jackie Brenneman, president of the Cinema Foundation.

Even as they push to upgrade, many companies continue to struggle financially, and some chains are shedding locations. AMC Entertainment, the largest circuit in the United States, is saddled with debt. And investments in technology are expensive — an IMAX system costs about $1 million, not including installation, which might involve knocking down a wall between two small screening rooms to create a large enough space, said Richard L. Gelfond, chief executive of IMAX.

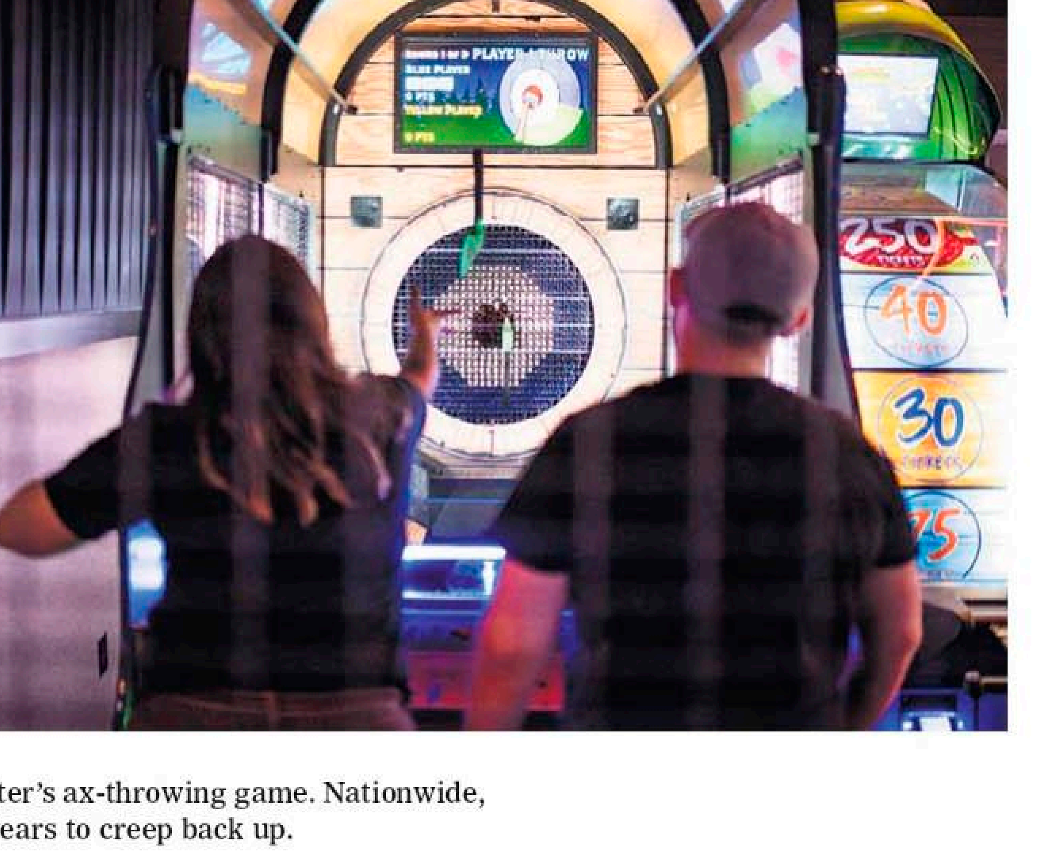
Some theaters receive assistance paying for renovations from landlords or developers who hope the foot traffic from a successful cinema will help neighboring retailers. Box office hits like "The Super Mario Bros. Movie" may make it easier for theaters to borrow for capital improvements, industry experts say.

"We are starting to see banks get a little more comfortable," said Brock Bagby, executive vice president and chief content and development officer of B&B Theaters.

Exhibitors are also trying to get more use out of their real estate. Some are screening concerts and TV shows or hosting trivia nights and video game tournaments. At a theater in Wesley Chapel, Fla., a suburb of Tampa, B&B leases one auditorium to a spin studio and another to a live comedy club.

But all the new tricks aside, popular movies ultimately draw customers, and operators are hoping this summer's releases continue the momentum from the Mario Bros. hit, which helped push April's domestic box office up 11.5 percent compared with the three-year prepandemic average for the month, said David A. Gross, who runs Franchise Entertainment Research, a movie consultancy.

"It was a breakthrough," he said, "the first month we've had since the pandemic that was better than prepandemic."



The EVO Entertainment complex includes a restaurant, a rock-climbing wall and video games. Center, Vinny Lachman mixing drinks at the venue. Right, the center's ax-throwing game. Nationwide, theater upgrades are part of an effort to make up for lost time. Domestic box office earnings so far this year still don't match prepandemic levels and could take years to creep back up.

SMALL BUSINESS

Franchising Failures Raise Questions About Regulatory Protections

By MICHAEL CORKERY

When Kenneth Laskin flew to California to meet with executives at Burgerim, a start-up chain of restaurants, he was made to feel not just like another prospective franchisee, but like part of a family.

The company's executives, he said, made a point one evening of highlighting their common Jewish faith by praying with him in Hebrew.

At the time, in 2017, Mr. Laskin believed he was being offered a plum deal. He paid $50,000 for the right to open up as many Burgerim franchised restaurants as he wanted in Oregon. "I got an entire state," Mr. Laskin recalled.

Today, Burgerim has run into trouble, leaving a trail of financial problems, a lawsuit by the Federal Trade Commission and broader regulatory scrutiny of whether protections for franchisees like Mr. Laskin are adequate.

Of 1,500 licenses one franchiser sold, most never opened.

The challenges highlighted by Burgerim come as franchising continues to grow as a way that people are choosing to start small businesses.

There has been rising concern about whether franchisees need more protection in their contracts with franchisers. That concern has found a sympathetic ear in the Biden administration and in several state legislatures, and has resulted in multiple proposed limits on franchisers' powers.

In the end, Mr. Laskin opened only one Burgerim restaurant, in Eugene, Ore., which closed in 2020 during the pandemic. Since then, Mr. Laskin has been depleting his savings to pay the bills.

Burgerim, which boasted of having inventive high-quality burgers, has been criticized by former franchisees for making grand promises and poor disclosure about business risks. Of the more than 1,500 franchises Burgerim sold, most never opened, the commission said in a lawsuit that the agency filed last year against the company and its founder in U.S. District Court in California.

Peter Bronstein, a lawyer for Oren Loni, who was the company's principal executive in the United States, said that Burgerim made some business mistakes but that it was often trying to help its franchisees succeed. The two sides have been in mediation, according to the court file.

Even as the pandemic was still bearing down, the number of franchised establishments in the country grew 2.8 percent in 2021 and 2 percent in 2022. That number is expected to increase an additional 2 percent this year, bringing the total to 805,436 franchises, according to the latest data released by the International Franchise Association, an industry group.

As the franchising network expands, so does its contribution to the broader economy. Franchises employed 8.4 million people last year, a 3 percent increase from 2021.

There is historical evidence, according to the International Franchise Association, that the first U.S. franchise dates back to Ben Franklin, who created a network of printing partnerships.

Today a fundamental symbiosis drives the business model: Franchisees pay an upfront fee to an franchiser like Dunkin' Donuts or Applebee's, which gets them access to all of that brand's suppliers, advertising and technology. The franchisee can lean on these established systems to get their business up and running quickly rather than having to start from scratch. And the franchiser, in turn, receives the franchising fee, typically tens of thousands of dollars, in addition to a regular royalty payment from the franchisee.

"Franchising has always been an on-ramp for the middle class to open their own business," said Charlie Chase, the chief executive of FirstService Brands, a franchiser of home renovation and painting services.

Over the years, Mr. Chase, who has served on the board of directors of the International Franchise Association, said he had helped hundreds of successful franchisees get their start. "We have created a lot of millionaires," he said.

Still, Mr. Chase said he was concerned about how some franchisees were being pushed into businesses without understanding all of the risks.

He blames aggressive internet advertising for some of this (Mr. Laskin learned about Burgerim from a Facebook advertisement, for example), and also a network of third-party brokers that often push prospective franchisees to buy multiple franchises at a time.

The Federal Trade Commission, under the leadership of Lina Khan, is looking broadly at industry practices including disclosure and issues such as franchisers' unilaterally changing the terms of an agreement with a franchisee.

"Franchising can be a good business model, but it can also lead to a lot of harm," Elizabeth Wilkins, the director of the commission's Office of Policy and Planning, said. "We are concerned about instances where the promise does not match with reality. We believe there is a significant gap that is worth our investigation."

In the case against Burgerim, federal officials said that the company executives told franchisees they would refund their franchise fees if their business did not open, but that many people never got their money back. Mr. Bronstein, the lawyer for Mr. Loni, said offering refunds "was not the best way to run a business."

In the years since the 2008 financial crisis and mortgage meltdown, regulators have bolstered protections for consumers by improving disclosure by banks and banning certain fees they can charge. But small businesses, including franchisees, have not benefited from the same extensive regulatory scrutiny.

"There is a view in the consumer protection world that small businesses do not get the same level of protections as other consumers," Samuel Levine, the director of the F.T.C.'s Bureau of Consumer Protection, said. "Yet, consumers and small businesses, including franchisees, face many of the same challenges. That is something we are trying to address."

HIROKO MASUIKE/THE NEW YORK TIMES

Franchises are ubiquitous in the American business landscape, but concerns are rising that business risks are not being adequately disclosed.

As part of that effort, the Federal Trade Commission is looking at how to apply laws like the Robinson-Patman Act, an antitrust law that prevents large corporations from using discriminatory pricing to take advantage of small businesses. The agency also has proposed a rule banning noncompete clauses in employment contracts and may consider limiting the use of noncompete clauses in franchise agreements.

When Mr. Laskin bought a franchise, he was not looking to become a millionaire, but rather to build a stable middle-class life.

He opened his sole Burgerim store in Oregon in September 2019.

But the problems started soon after his grand opening, Mr. Laskin said. Burgerim had not established a reliable food distribution system in Oregon, he said, forcing Mr. Laskin to fend for himself to supply his restaurant. In trying to help new locations get off the ground, the company never collected royalties from the franchisees, which limited its ability to support its restaurant network over the long term, Mr. Bronstein said. Still, he added, there are many Burgerim restaurants that operated successfully.

Mr. Laskin kept the business going during the pandemic by offering take out. But he couldn't find people to work during the lockdowns, which meant he and his wife ran the entire operation themselves.

Mr. Laskin, who has severe back pain from years of restaurant work, hoped a franchise would offer him the chance to delegate work to employees and spare his back.

But some days, Mr. Laskin would return from the burger restaurant at night unable to walk the final few yards up his driveway because of the pain from standing on his feet all day.

The Burgerim leadership, Mr. Laskin said, provided no support during the pandemic.

He closed his restaurant in May 2020 and moved to Florida. Mr. Laskin, 57, said that his back problems limited the type of work he can do and that it had been difficult finding work after his burger business closed.

The struggles of the former Burgerim franchisees were brought to light in 2020 by the publication Restaurant Business, which focuses on the food service industry, in a series of articles.

Some franchisees say improving disclosure or increasing regulations on fee structures will not be a panacea in rooting out the industry's troubled actors.

"Transparency is a great thing, but I am not sure more disclosure is going to change any outcomes," said Greg Flynn, the founder and chief executive of Flynn Restaurant Group, the largest franchisee in the country with 2,400 locations and 73,000 employees, operating brands like Taco Bell, Pizza Hut and Panera.

"There are a lot of stories of franchisees buying into a system and then it goes badly for them," he added. "I would just suggest that they might have had a similar experience outside of a franchise system."

Mr. Laskin says it is not just bad timing or circumstances that were to blame. "The system is fundamentally crippled," he said. "There is too much secrecy. It shouldn't be this difficult."

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of THE COMMONWEALTH OF PUERTO RICO, *et al.*, Debtors.[1]	PROMESA Title III No. 17-BK-3283-LTS (Jointly Administered)
In re: THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO, as representative of PUERTO RICO ELECTRIC POWER AUTHORITY, Debtor.	PROMESA Title III No. 17-BK-4780-LTS (Jointly Administered)

NOTICE OF (I) APPROVAL OF DISCLOSURE STATEMENT, (II) ESTABLISHMENT OF RECORD DATES, (III) HEARING ON CONFIRMATION OF THE PLAN OF ADJUSTMENT AND PROCEDURES FOR OBJECTION TO CONFIRMATION OF THE PLAN OF ADJUSTMENT, (IV) PROCEDURES AND DEADLINE FOR VOTING ON THE PLAN OF ADJUSTMENT AND MAKING CERTAIN ELECTIONS THEREUNDER

If you are entitled to vote on or make an election with respect to distributions pursuant to the Plan, you will receive a separate Solicitation Package (as defined below) on a future date.

DEADLINE TO FILE DISCOVERY NOTICE: 5:00 p.m. (Atlantic Standard Time) on April 7, 2023

VOTING AND ELECTION DEADLINE: 5:00 p.m. (Atlantic Standard Time) on June 7, 2023

OBJECTION DEADLINE: 5:00 p.m. (Atlantic Standard Time) on June 7, 2023

CONFIRMATION HEARING: July 17–21, 24, 26–28, 2023 at 9:30 a.m. (Atlantic Standard Time)

See below for additional deadlines.

If you have any questions regarding this notice, please contact Kroll Restructuring Administration LLC ("Kroll")[2] by telephone at (844) 822-9231 (toll free for U.S. and Puerto Rico) or (646) 486-7944 (for international callers), available 10:00 a.m. to 7:00 p.m. (Atlantic Standard Time) (Spanish available), or by email at puertoricoinfo@ra.kroll.com (with 'PREPA Solicitation' in the subject line).

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. ***Approval of Disclosure Statement.*** By order, dated March 3, 2023 (the "Disclosure Statement Order"), the United States District Court for the District of Puerto Rico (the "Court") approved the adequacy of the information contained in the *Disclosure Statement for the Modified Second Amended Title III Plan of Adjustment of the Puerto Rico Electric Power Authority*, dated March 1, 2023 (as the same may be updated, supplemented, amended and/or otherwise modified from time to time, including all exhibits and attachments thereto, the "Disclosure Statement"), filed by the Financial Oversight and Management Board on behalf of the Debtor, and authorized the Debtor to solicit votes with respect to the acceptance or rejection of the *Modified Second Amended Title III Plan of Adjustment of the Puerto Rico Electric Power Authority*, dated March 1, 2023 (as the same may be updated, supplemented, amended and/or otherwise modified from time to time, the "Plan"),[3] attached as **Exhibit A** to the Disclosure Statement.

You may obtain a hard copy of the Plan and Disclosure Statement, including Spanish translations thereof, free of charge, by contacting the Balloting Agent, Kroll Restructuring Administration LLC (f/k/a Prime Clerk LLC):

Telephone (10:00 a.m. to 7:00 p.m. (AST)) (Spanish available):
(844) 822-9231 (toll free for U.S. and Puerto Rico)
(646) 486-7944 (for international callers)

Email: puertoricoinfo@ra.kroll.com (with 'PREPA Solicitation' in the subject line)

Alternatively, electronic copies of the Disclosure Statement and Plan are available, free of charge, by visiting https://cases.ra.kroll.com/puertorico/.

2. Paper copies of the Plan and Disclosure Statement, including Spanish translations thereof, are also available, free of charge, at the following locations from April 10, 2023 to June 7, 2023 (except weekends and federal holidays):

Locations in the Commonwealth Providing Paper Copies of the Plan and Disclosure Statement	
Address	**Hours (AST)**
Don Frappe Inc. Carr. #2km 141.5, Bo. Quebrada Larga, Añasco, PR 00610	M – F 8:30 a.m. to 5:00 p.m.
Oceana HUB Center 2 Calle Acerina, Caguas, PR 00725	M – F 8:30 a.m. to 5:00 p.m.
LunaSpeiz 157 Calle de Luna, San Juan, PR 00901	M – F 8:30 a.m. to 5:00 p.m.
Centro Ave. Muñoz Rivera 501, 3Fl, San Juan, PR 00918	M – F 8:30 a.m. to 5:00 p.m.
Club de Leones de Ponce Club House Bo. Carrillo, Carretera #14 km 5.1, Ponce, PR 00731	M – F 8:30 a.m. to 5:00 p.m.

3. Pursuant to the Disclosure Statement Order, the Debtor will mail materials needed for voting on the Plan (the "Solicitation Package") to holders with Claims in the following Classes (collectively, the "Voting Classes"):

	Class
Settling Bondholder Claims	Class 1
Non-Settling Bondholder and Non-Settling Monoline Claims	Class 2
Pension Claim	Class 3
Fuel Line Loan Claims	Class 4
National Insured Bond Claims	Class 5
National Reimbursement Claim	Class 6
General Unsecured Claims	Class 7
Vitol Claims	Class 8
Assured Insured Interest Rate Swaps Claims	Class 9
Eminent Domain/Inverse Condemnation Claims	Class 11
Federal Claims	Class 12

4. ***Confirmation Hearing.*** A hearing to consider confirmation of the Plan (the "Confirmation Hearing") will be held before The Honorable Laura Taylor Swain, United States District Court Judge, at the United States District Court for the District of Puerto Rico, Clemente Ruiz Nazario United States Courthouse, 150 Carlos Chardón Avenue, San Juan P.R. 00918-1767 (or as otherwise provided pursuant to an order of the Court) on **July 17–21, 24, 26–28, 2023 at 9:30 a.m. (Atlantic Standard Time)**.

5. The Confirmation Hearing may be continued from time to time by the Court or the Oversight Board, without further notice or through adjournments announced in open court or as indicated in any notice of agenda of matters scheduled for hearing filed with the Court, and the Plan may be modified, if necessary, prior to, during, or as a result of the Confirmation Hearing, in accordance with the modification provisions of the Plan and Local Rule 3016-2, without further notice to interested parties.

6. ***Plan Confirmation Depository***. Information relating to confirmation of the Plan is available online in the Plan Confirmation Depository at titleiiiplandataroom.com.

7. ***Confirmation Objection Deadline.*** The Court has established **5:00 p.m. (Atlantic Standard Time) on June 7, 2023** as the deadline to file objections or responses to confirmation of the proposed Plan and the proposed confirmation order[4] (the "Confirmation Objection Deadline"). Parties who do not file an objection to the Plan or the proposed confirmation order prior to the Confirmation Objection Deadline will be prohibited from making an oral presentation before the Court at the Confirmation Hearing.

8. ***Objections and Responses to Confirmation.*** Objections and responses to confirmation of the Plan must:

a. Be in writing, in English, and signed;

b. State the name, address, and nature of the Claim of the objecting or responding party;

c. State with particularity the basis and nature of any objection or response and include, where appropriate, proposed language to be inserted in the Plan or the proposed confirmation order to resolve any such objection or response;

d. Be filed electronically with the Court on the dockets of (i) *In re Puerto Rico Electric Power Authority*, Case No. 17 BK 4780-LTS and (ii) *In re Commonwealth of Puerto Rico*, Case No. 17 BK 3283-LTS, through the Court's case filing system in searchable portable document format **on or before the Confirmation Objection Deadline (June 7, 2023 at 5:00 p.m. (Atlantic Standard Time))**.

i. If you are not an attorney who is a registered user of the Court's case filing system, you may instead mail your objection to the Court's Clerk's office at:

United States District Court, Clerk's Office
150 Ave. Carlos Chardon Ste. 150, San Juan, P.R. 00918-1767

so as to be received **on or before the Confirmation Objection Deadline (June 7, 2023 at 5:00 p.m. (Atlantic Standard Time))**, and

e. Be served upon the Office of the United States Trustee for the District of Puerto Rico, Edificio Ochoa, 500 Tanca Street, Suite 301, San Juan, PR 00901 (re: In re: Puerto Rico Electric Power Authority) so as to be received **on or before the Confirmation Objection Deadline (June 7, 2023 at 5:00 p.m. (Atlantic Standard Time))**.

9. ***Participation in Confirmation Discovery***. If you wish to participate in discovery in connection with confirmation of the Plan, you must file a notice of your intention to participate in discovery (a "Discovery Notice"), a form of which is available at https://cases.ra.kroll.com/puertorico/. If you file your Discovery Notice on or before **April 7, 2023**, you may be granted access to documents in the Plan Depository, where information and documents concerning the Plan are kept, and will also be able to serve your own discovery requests. If you file your Discovery Notice **after April 7, 2023, but on or before May 26, 2023**, you may be granted access to documents in the Plan Depository. Please note that access to the information in the Plan Depository may also require complying with the Debtor's access requirements.

10. You must submit the Discovery Notice in the form provided on the Title III Case website above, which must:

a. Be in writing, in English, and be signed;

b. State your name, address, the nature of your Claim, and your Claim number;

c. State your intention to participate in discovery in connection with confirmation of the Plan; and

d. Be filed electronically with the Court on the docket using the CM/ECF docket event Notice of Intent to Participate in Discovery for Plan Confirmation, in (i) *In re Puerto Rico Electric Power Authority*, Case No. 17 BK 4780-LTS and (ii) *In re Commonwealth of Puerto Rico*, Case No. 17 BK 3283-LTS, through the Court's case filing system on or before the applicable deadline.

i. If you are not represented by counsel, you may instead mail your Discovery Notice to the Court's Clerk's office at:

United States District Court, Clerk's Office
150 Ave. Carlos Chardon Ste. 150, San Juan, P.R. 00918-1767

so as to be received on or before the applicable deadline.

11. **You must timely file a Discovery Notice to participate in discovery in connection with confirmation of the Plan**. Failure to timely file a Discovery Notice, however, will not preclude you from filing an objection to confirmation of the Plan on or before the Confirmation Objection Deadline, but will preclude you from being able to view documents in the Plan Depository, and from taking discovery.

12. ***Discovery Timetable and Deadlines***. The Court has established the following discovery dates and deadlines, which are applicable to the Debtor and to other parties in interest who have timely filed a Discovery Notice and are eligible to participate in discovery:[5]

Summary of Discovery and Confirmation Deadlines	
March 1, 2023	Conversion of Disclosure Statement depository to Plan Depository
Five Business Days After Entry of DS Approval Order	Deadline for Confirmation Hearing Notice to be served.
March 11, 2023	Deadline for the Debtor to upload all documents to the Plan Depository
	Deadline for the Debtor to file a preliminary fact witness list and topics about which each witness will testify ("Debtor's Preliminary Fact Witness List").
28 Days After Entry of DS Approval Order	Deadline for Debtor to complete mailing of solicitation materials.
April 7, 2023	Deadline for parties in interest to file a "Notice of Intent to Participate in Discovery," (hereafter, a "Discovery Notice"). Only parties in interest who file a timely Discovery Notice can propound discovery, but failure to do so does not preclude a party from objecting to confirmation of the Plan.
April 14, 2023	Deadline for all parties to serve requests for production of non-depository documents ("Production Requests"). Parties in interest may serve Production Requests only following their filing of a timely Discovery Notice. Parties may serve up to one additional round of Production Requests, provided that they are served on or before May 8, 2023. Responses and objections to any Production Requests shall be served within seven (7) days of service of such Production Requests.
	Deadline for parties in interest to file a preliminary fact witness list and topics about which each witness is expected to testify (a "Party in Interest's Preliminary Fact Witness List," and together with the Debtor's Preliminary Fact Witness List, the "Preliminary Fact Witness Lists").
	Deadline for all parties to file opening expert disclosures ("Opening Expert Disclosures").
April 21, 2023	Deadline for all parties to serve up to fifteen (15) interrogatories ("Interrogatories"), including subparts. Responses and objections to such Interrogatories shall be served within ten (10) days of service of such Interrogatories.
April 28, 2023	Deadline for all parties to file opening expert reports ("Opening Expert Reports").
	Deadline for all parties to serve initial notices of deposition, topics and requested times for depositions ("Initial Notices of Deposition") (all depositions are limited to a seven (7)-hour time limit). Subsequent notices are allowed provided discovery is completed by the Fact Discovery Deadline or Expert Discovery Deadline, as applicable.
May 8, 2023	Deadline for all parties to file rebuttal expert disclosures ("Rebuttal Expert Witness Disclosures").
	Deadline for parties who have served a Production Request on or before April 14, 2023 to serve up to one additional round of Production Requests. Responses and objections to any Production Requests shall be served within seven (7) days of service of such Production Requests.
May 15, 2023	Deadline for all parties to file rebuttal expert reports ("Rebuttal Expert Reports").
May 17, 2023	Deadline for the Debtor to file a form of the New Master Indenture.
May 26, 2023	Deadline for all parties to serve requests for admission, limited to authentication of documents ("Admission Requests"). Responses and objections to such Admission Requests shall be served within four (4) business days of service of such Admission Requests.
	Deadline for completion of fact discovery (the "Fact Discovery Deadline").
	Deadline for parties in interest who solely want access to documents in the Plan Depository to file a Discovery Notice.
May 31, 2023	Deadline for the Debtor to file initial proposed confirmation order (the "Proposed Confirmation Order").
June 2, 2023	Deadline for completion of expert discovery (the "Expert Discovery Deadline").
	Deadline for all parties to file Daubert motions and motions *in limine*.
June 7, 2023	Voting Deadline & Election Deadline
	Deadline for parties in interest to file: • Objections to confirmation of the Plan ("Plan Objections"). • Objections to Proposed Confirmation Order.
June 9, 2023	Deadline for all parties to file oppositions to Daubert motions and motions *in limine*.
June 16, 2023	Deadline for all parties to file replies in support of Daubert motions and motions *in limine*.
	Deadline for all parties to file finalized witness lists, exhibit lists, and deposition designations.
June 21, 2023	Deadline for Debtor to file: • Memorandum of law in support of confirmation of the Plan. • Omnibus reply to Plan Objections and objections to the Proposed Confirmation Order. • Witness Declarations. • Vote Tabulation. • Initial proposed findings of fact and conclusions of law ("Proposed Findings of Fact and Conclusions of Law").
	Deadline for parties in interest to file statements or joinders in support of confirmation of the Plan.
	Deadline for non-Debtor parties to file witness declarations.
June 23, 2023	Deadline for all parties to file counter-designations, objections to deposition designations, or objections to exhibit lists.
June 28, 2023	Deadline for parties in interest to file objections to the (i) Vote Tabulation and/or (ii) Proposed Findings of Fact and Conclusions of Law.
June 30, 2023	Deadline for all parties to file objections to counter designations.
July 5, 2023	Deadline for Debtor to reply to objections to the (i) the Vote Tabulation and (ii) Proposed Findings of Fact and Conclusions of Law.
Week of July 10, 2023 (or a date convenient for the court)	[Virtual] hearing on motions *in limine* / pre-trial conference.
July 17–21, 24–28, 2023	Confirmation Hearing

13. ***Voting Record Date.*** The voting record date is **February 28, 2023** (the "Voting Record Date"), which is the date for determining which holders of Claims in Voting Classes (except Classes 1, 2, 4, and 5 (collectively, the "ATOP Classes")[6]) are entitled to vote on the Plan. Therefore, only those creditors in a Class entitled to vote on the Plan and holding Claims against the Debtor (except in the ATOP Classes) as of the Voting Record Date are entitled to vote on the Plan.

14. ***Voting Deadline.*** The deadline for voting on the Plan is **June 7, 2023, at 5:00 p.m. (Atlantic Standard Time)**, unless such time is extended (the "Voting Deadline"). ***You are not required to vote on the Plan to receive distributions pursuant to the terms of the Plan, if confirmed by the Court, and provided you hold an Allowed Claim. However, if you are a Settling Bondholder or National receiving the treatment provided to holders of Claims in Class 1, Class 5, or Class 9, you should review your Uninsured Bond Settlement Agreement or National PSA, as applicable, prior to voting or abstaining from voting on the Plan, and how it may affect your right to receive distributions.***

15. If you received a Solicitation Package, including a Ballot or Notice and intend to vote on the Plan, you ***must***: (a) follow the instructions carefully; (b) complete ***all*** of the required information on the Ballot (as applicable); and (c) either (i) execute and return your completed Ballot according to and as set forth in detail in the voting instructions included in the Solicitation Package so that your Ballot is ***actually received*** by the Debtor's solicitation agent, Kroll Restructuring Administration LLC ("Kroll" or the "Balloting Agent")[7] on or before the Voting Deadline, or (ii) instruct your broker or nominee (each, a "Nominee") to electronically deliver your bonds via the Automated Tender Offer Program ("ATOP") at The Depository Trust Company ("DTC") in accordance with your desire to vote to accept or reject the Plan on or before the Voting Deadline. ***Failure to follow such instructions may disqualify your vote.***

16. ***Election Deadline.*** The deadline for holders of Claims in Class 5 that have the right to make an election of the form of distributions pursuant to the Plan to make such election is on **June 7, 2023, at 5:00 p.m. (Atlantic Standard Time)**, unless such time is extended (the "Election Deadline"). If you received an Election Notice with an option to make an election, you must: (a) follow the instructions carefully; and (b) deliver all of the required information according to and as set forth in detail in the election instructions so that it is received by your Nominee in sufficient time for your Nominee to actually effectuate your election through DTC's ATOP on or before the Election Deadline.

17. ***Parties in Interest Not Entitled to Vote.*** Creditors in Class 14 (Section 510(b) Subordinated Claims) are deemed to reject the Plan and not entitled to vote.

18. Creditors in Class 10 (Ordinary Course Customer Claims) and Class 13 (Convenience Claims) are deemed to accept the Plan and not entitled to vote.

19. If a Claim is listed on the Debtor's list of creditors [Case No. 17-4780, ECF No. 262] as contingent, unliquidated, or disputed and a proof of claim was not (i) filed by the earlier of the applicable bar date for the filing of proofs of claim established by the Court or the Voting Record Date (as applicable); or (ii) deemed timely filed by an order of the Court prior to the Voting Deadline, such Claim shall not be entitled to vote to accept or reject the Plan. Proofs of claim filed for $0.00 or Claims that have been expunged by order of the Court are also not entitled to vote.

20. If you have timely filed a proof of claim and disagree with the Debtor's classification of, or objection to, your Claim and believe you should be entitled to vote on the Plan, you must serve the Debtor and the parties listed in paragraph 43 of the Disclosure Statement Order and file with the Court (with a copy to Chambers) a motion (a "Rule 3018(a) Motion") for an order pursuant to Rule 3018 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") temporarily allowing your Claim in a different amount or in a different Class for purposes of voting to accept or reject the Plan. All Rule 3018(a) Motions must be filed on or before the tenth (10th) day after the later of (i) service of this Confirmation Hearing Notice and (ii) service of notice of an objection, if any, as to such Claim. In accordance with Bankruptcy Rule 3018(a), as to any to any creditor filing a Rule 3018(a) Motion, such creditor's Ballot will not be counted except as may be otherwise ordered by the Court prior to the **Voting Deadline (June 7, 2023, at 5:00 p.m. (Atlantic Standard Time), which corresponds to 5:00 p.m. prevailing Eastern Time)**. Creditors may contact the Balloting Agent (i) via first class mail or via overnight courier, at Puerto Rico Ballot Processing, C/O Kroll Restructuring Administration LLC (f/k/a Prime Clerk LLC), 850 Third Avenue, Suite 412, Brooklyn, NY 11232, (ii) by telephone at (844) 822-9231 (toll free for U.S. and Puerto Rico) or (646) 486-7944 (for international callers), available 10:00 a.m. to 7:00 p.m. (Atlantic Standard Time) (Spanish available), or (iii) by email at puertoricoinfo@ra.kroll.com (with 'PREPA Solicitation' in the subject line), to receive an appropriate Ballot for any Claim for which a proof of claim has been timely filed and a Rule 3018(a) Motion has been granted. Rule 3018(a) Motions that are not timely filed and served in the manner set forth herein shall not be considered.

21. If you wish to have your Claim temporarily allowed for voting purposes pursuant to Bankruptcy Rule 3018(a), a form of Rule 3018(a) motion together with instructions for filing and serving the motion is available at https://cases.ra.kroll.com/puertorico/.

22. ***Parties Who Will Not Be Treated as Creditors***. Any holder of a Claim that (i) is scheduled in the List of Creditors at $0.00 and is not the subject of a timely filed proof of Claim or a proof of claim deemed timely filed with the Court pursuant to either the Bankruptcy Code or any order of the Court, or otherwise deemed timely filed under applicable law, or (ii) is not scheduled and is not the subject of a timely filed proof of claim or a proof of claim deemed timely filed with the Court pursuant to either the Bankruptcy Code or any order of the Court, or otherwise deemed timely filed under applicable law, shall not be treated as a creditor with respect to such Claim for purposes of (a) receiving notices regarding the Plan, and (b) voting on the Plan.

23. ***Additional Information***. Any party in interest wishing to obtain information about the solicitation procedures or copies of the Disclosure Statement or the Plan, including Spanish translations thereof, should contact the Balloting Agent, Kroll Restructuring Administration LLC, by telephone at (844) 822-9231 (toll free for U.S. and Puerto Rico) or (646) 486-7944 (for international callers), available 10:00 a.m. to 7:00 p.m. (Atlantic Standard Time) (Spanish available), or by email at puertoricoinfo@ra.kroll.com (with 'PREPA Solicitation' in the subject line), or may view such documents by accessing either https://cases.ra.kroll.com/puertorico/ or the Court's website, https://www.prd.uscourts.gov/. Please note that a Public Access to Court Electronic Records ("PACER") (http://www.pacer.psc.uscourts.gov) password and login are needed to access documents on the Court's website.

24. ***Bankruptcy Rules 2002(c)(3) and 3016(c).*** **In accordance with Bankruptcy Rules 2002(c)(3) and 3016(c), set forth below are the release, exculpation, and injunction provisions contained in the Plan:**

Section 27(A) – Discharge and Release of Claims and Causes of Action:

1. **Complete Satisfaction, Discharge, and Release.** Except as expressly provided in the Plan or the Confirmation Order, all distributions and rights afforded under the Plan shall be, and shall be deemed to be, in exchange for, and in complete satisfaction, settlement, discharge, and release of, all Claims or Causes of Action against PREPA and Reorganized PREPA that arose, in whole or in part, prior to the Effective Date, relating to the Title III Case, the Debtor or Reorganized Debtor or any of their respective Assets, property, or interests of any nature whatsoever, including any interest accrued on such Claims from and after the Petition Date, and regardless of whether any property will have been distributed or retained pursuant to the Plan on account of such Claims or Causes of Action. Upon the Effective Date, the Debtor and Reorganized Debtor shall be deemed discharged and released from any and all Claims, Causes of Action, and any other Debts that arose, in whole or in part, prior to the Effective Date (including prior to the Petition Date), and all Debts of the kind specified in Bankruptcy Code sections 502(g), 502(h), or 502(i), whether or not (a) a Proof of Claim based upon such Debt is filed or deemed filed under Bankruptcy Code section 501, (b) a Claim based upon such Debt is allowed under Bankruptcy Code section 502 (or is otherwise resolved), or (c) the Holder of a Claim based upon such Debt voted to accept the Plan; *provided*, for the avoidance of doubt, this Article XXVII.A.1 does not extend to or include any claims, rights, or defenses (whether ordinary or affirmative) of the Vitol Parties related to the Vitol-SCC AP preserved pursuant to the Vitol Settlement Agreement, and the Vitol Parties are not releasing and instead is expressly preserving, all of its claims, rights, or defenses related to the Vitol-SCC AP as provided in the Vitol Settlement Agreement.

2. **Preclusion from Assertion of Claims Against the Debtor.** All Entities shall be precluded from asserting any and all Claims or other obligations, suits, judgments, damages, Debts, rights, remedies, Causes of Action, or liabilities, of any nature whatsoever, including any interest accrued on such Claims from and after the Petition Date, against the Debtor and Reorganized Debtor and each of their respective Assets, property and rights, relating to the Title III Case, regardless of whether any property will have been distributed or retained pursuant to the Plan on account of such Claims or other obligations, suits, judgments, damages, Debts, rights, remedies, Causes of Action, or liabilities. In accordance with the foregoing, except as expressly provided in the Plan or the Confirmation Order, the Confirmation Order shall constitute a judicial determination, as of the Effective Date, of the discharge and release of all such Claims, Causes of Action, or Debt of or against the Debtor and the Reorganized Debtor pursuant to Bankruptcy Code sections 524 and 944, applicable to the Title III Case pursuant to PROMESA section 301, and such discharge shall void and extinguish any judgment obtained against the Debtor or Reorganized Debtor and their respective Assets, and property at any time, to the extent such judgment is related to a discharged Claim, Debt, or liability. As of the Effective Date, and in consideration for the value provided under the Plan, each Holder of a Claim in any Class under this Plan shall be and hereby is deemed to release and forever waive and discharge as against the Debtor and Reorganized Debtor, and their respective Assets and property and all such Claims; *provided*, for the avoidance of doubt, this Article XXVII.A.2 does not extend to or include any claims, rights, or defenses (whether ordinary or affirmative) of the Vitol Parties related to the Vitol-SCC AP preserved pursuant to the Vitol Settlement Agreement, and the Vitol Parties are is not releasing and instead is expressly preserving, all of its claims, rights, or defenses related to the Vitol-SCC AP as provided in the Vitol Settlement Agreement.

3. **Injunction Related to Discharge of Claims.** Except as otherwise expressly provided in this Article XXVII of the Plan, the Confirmation Order or such other Final Order of the Title III Court that may be applicable, all Entities who have held, hold, or may hold Claims or any other Debt or liability that is discharged or released pursuant to Article XXVII hereof or who have held, hold, or may hold Claims or any other Debt or liability that is discharged or released pursuant to Article XXVII hereof are permanently enjoined, from and after the Effective Date, from (a) commencing or continuing, directly or indirectly, in any manner, any action or other proceeding (including, without limitation, any judicial, arbitral, administrative, or other proceeding) of any kind on any such Claim or other Debt or liability that is discharged or released pursuant to the Plan against any of the Released Parties or any of their respective Assets or property, (b) the enforcement, attachment, collection, or recovery by any manner or means of any judgment, award, decree, or order against any of the Released Parties or any of their respective assets or property on account of any Claim or other Debt or liability that is discharged or released pursuant to the Plan, (c) creating, perfecting, or enforcing any encumbrance of any kind against any of the Released Parties or any of their respective assets or property on account of any Claim or other Debt or liability that is discharged or released pursuant to the Plan, and (d) except to the extent provided, permitted, or preserved by Bankruptcy Code sections 553, 555, 556, 559, or 560 or pursuant to the common law right of recoupment, asserting any right of setoff, subrogation, or recoupment of any kind against any obligation due from any of the Released Parties or any of their respective assets or property, with respect to any such Claim or other Debt or liability that is discharged or released pursuant to the Plan. Such injunction shall extend to all successors and assigns of the Released Parties and their respective assets and property.

Section 27(B) – Releases by the Debtor and Reorganized Debtor: Except as otherwise expressly provided in the Plan or the Confirmation Order, on the Effective Date, and for good and valuable consideration, each of the Debtor and Reorganized Debtor, the Distribution Agent and each of the Debtor's and Reorganized Debtor's Related Persons shall be deemed to have and hereby does irrevocably and unconditionally, fully, finally, and forever waive, release, acquit, and discharge the Released Parties from any and all Claims or Causes of Action that the Debtor, Reorganized Debtor, and the Distribution Agent, or any of them, or anyone claiming through them, on their behalf or for their benefit, have or may have or claim to have, now or in the future, against any Released Party that are Released Claims or otherwise are based upon, relate to, or arise out of or in connection with, in whole or in part, any act, omission, transaction, event, or other circumstance relating to the Title III Case, the Fuel Line Lender PSA, the National PSA, or the Debtor taking place or existing on or prior to the Effective Date, and/or any Claim, act, fact, transaction, occurrence, statement, or omission in connection with or alleged or that could have been alleged, including, without limitation, any such Claim, demand, right, liability, or cause of action for indemnification, contribution, or any other basis in law or equity for damages, costs, or fees.

Section 27(C) – Releases by Holders of Claims: Notwithstanding anything contained in this Plan to the contrary, as of the Effective Date, for good and valuable consideration, each Holder of a Claim is deemed to have released and discharged the Debtor and the Reorganized Debtor from any and all Causes of Action, whether known or unknown, including any derivative claims, asserted on behalf of the Debtor, that such Entity would have been legally entitled to assert (whether individually or collectively), based on or relating to, or in any manner arising from, in whole or in part, the Debtor (including management, ownership, or operation thereof), the Debtor's in- or out-of-court restructuring efforts, intercompany transactions, the Title III Case, the formulation, preparation, dissemination, negotiation, or filing of the Disclosure Statement, the Plan, the Uninsured Bond Settlement Agreement, the Vitol Settlement Agreement, the Restructuring Transactions, the Fuel Line Lender PSA, the National PSA, or any contract, instrument, release, or other Definitive Documents, agreement, or document created or entered into in connection with the Disclosure Statement, or the Plan, the filing of the Title III Case, the pursuit of Confirmation, the pursuit of consummation, the administration and implementation of the Plan, including the issuance or distribution of securities pursuant to the Plan, or the distribution of property under the Plan or any other related agreement, or upon any other related act or omission, transaction, agreement, event, or other occurrence taking place on or before the Effective Date. Notwithstanding anything to the contrary in the foregoing, the releases set forth above do not release any post-Effective Date obligations of any party or Entity under the Plan, the Restructuring Transactions, or any document, instrument, or agreement (including those set forth in the Plan Supplement) executed to implement the Plan.

Section 27(D) – Exculpation: Except as otherwise specifically provided in the Plan, no Exculpated Party shall have or incur, and each Exculpated Party is released and exculpated from any Cause of Action for any claim related to any act or omission in connection with, relating to, or arising out of, the Title III Case, the formulation, preparation, dissemination, negotiation, or filing of the Fuel Line Lender PSA, the National PSA, Disclosure Statement, the Plan, the Uninsured Bond Settlement Agreement, the Vitol Settlement Agreement, or any Restructuring Transaction, contract, instrument, release or other Definitive Document, agreement, or document created or entered into in connection with the Disclosure Statement or the Plan, the filing of the Title III Case, the pursuit of Confirmation, the pursuit of consummation, the administration and implementation of the Plan, including the issuance of securities pursuant to the Plan, or the distribution of property under the Plan or any other related agreement, except for claims related to any act or omission that is determined in a Final Order to have constituted actual fraud or gross negligence, but in all respects such Entities shall be entitled to reasonably rely upon the advice of counsel with respect to their duties and responsibilities pursuant to the Plan. The Exculpated Parties have, and upon completion of the Plan shall be deemed to have, participated in good faith and in compliance with the applicable laws with regard to the solicitation of votes and distribution of consideration pursuant to the Plan and, therefore, are not, and on account of such distributions shall not be, liable at any time for the violation of any applicable law, rule, or regulation governing the solicitation of acceptances or rejections of the Plan or such distributions made pursuant to the Plan. For the avoidance of doubt, notwithstanding anything contained herein to the contrary, the Plan shall not, and shall not be construed to, release or exculpate, any payment obligation under the applicable National Insurance Policy, to any beneficial holder of National Insured Bonds, in accordance with its terms solely to the extent of any failure of such holder to receive the treatment provided to Holders of Claims in Class 5 (or any claims that National may have against a beneficial holder of National Insured Bonds with respect to National's applicable obligations under the National Insurance Policies).

Section 27(E) – Injunction: As of the Effective Date, all Entities that hold, have held, or may hold a Released Claim that is released pursuant to this Article XXVII of the Plan, are, and shall be, permanently, forever and completely stayed, restrained, prohibited, barred, and enjoined from taking any of the following actions, whether directly or indirectly, derivatively, or otherwise, on account of or based on the subject matter of such discharged Released Claims: (i) commencing, conducting, or continuing in any manner, directly or indirectly, any suit, action, or other proceeding (including, without limitation, any judicial, arbitral, administrative, or other proceeding) in any forum; (ii) enforcing, attaching (including, without limitation any prejudgment attachment), collecting, or in any way seeking to recover any judgment, award, decree, or other order; (iii) creating, perfecting, or in any way enforcing in any matter, directly or indirectly, any Lien; (iv) setting off, seeking reimbursement or contributions from, or subrogation against, or otherwise recouping in any manner, directly or indirectly, any amount against any liability or obligation owed to any Entity released under Article XXVII hereof; and (v) commencing or continuing in any manner, in any place of any judicial, arbitration, or administrative proceeding in any forum, that does not comply with or its inconsistent with the provisions of the Plan or the Confirmation Order.

Section 36(C) – Supplemental Injunction: Notwithstanding anything contained herein to the contrary, except to the limited extent provided in the Plan, all Entities, including Entities acting on their behalf, who currently hold or assert, have held or asserted, or may hold or assert, any Released Claims against any of the Released Parties based upon, attributable to, arising out of or relating to the Title III Case or any Claim against the Debtor, whenever and wherever arising or asserted, whether in the U.S. or anywhere else in the world, whether sounding in tort, contract, warranty, statute, or any other theory of law, equity or otherwise, shall be, and shall be deemed to be, permanently stayed, restrained and enjoined from taking any action against any of the Released Parties for the purpose of directly or indirectly collecting, recovering or receiving any payment or recovery with respect to any Released Claims arising prior to the Effective Date (including prior to the Petition Date), including, but not limited to:

1. Commencing or continuing in any manner any action or other proceeding of any kind with respect to any such Released Claim against any of the Released Parties or the assets or property of any Released Party;

2. Enforcing, attaching, collecting, or recovering, by any manner or means, any judgment, award, decree, or order against any of the Released Parties or the assets or property of any Released Party with respect to any such Released Claim;

3. Creating, perfecting, or enforcing any Lien of any kind against any of the Released Parties or the assets or property of any Released Party with respect to any such Released Claim;

4. Except as otherwise expressly provided in the Plan or the Confirmation Order, asserting, implementing or effectuating any setoff, right of subrogation, indemnity, contribution, or recoupment of any kind against any obligation due to any of the Released Parties or against the property of any Released Party with respect to any such Released Claim; and

5. Taking any act, in any manner, in any place whatsoever, that does not conform to, or comply with, the provisions of the Plan or the Confirmation Order, *provided, however*, that the Debtor's compliance with the formal requirements of Bankruptcy Rule 3016 shall not constitute an admission that the Plan provides for any injunction against conduct not otherwise enjoined under the Bankruptcy Code.

Dated: March 3, 2023, San Juan, Puerto Rico

Respectfully submitted, /s/ Martin J. Bienenstock, Martin J. Bienenstock, Paul V. Possinger, Ehud Barak, Margaret A. Dale, Michael T. Mervis, Daniel S. Desatnik, (Admitted *Pro Hac Vice*), **PROSKAUER ROSE LLP**, Eleven Times Square, New York, NY 10036, Tel: (212) 969-3000, Fax: (212) 969-2900, Email: mbienenstock@proskauer.com, ppossinger@proskauer.com, ebarak@proskauer.com, ddesatnik@proskauer.com -and- /s/ Hermann D. Bauer, Hermann D. Bauer, USDC No. 215205, **O'NEILL & BORGES LLC**, 250 Muñoz Rivera Ave., Suite 800, San Juan, PR 00918-1813, Tel: (787) 764-8181, Fax: (787) 753-8944, Email: hermann.bauer@oneillborges.com, *Attorneys for the Financial Oversight and Management Board as representative for PREPA*

[1] The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

[2] On March 29, 2022, Prime Clerk LLC changed its name to Kroll Restructuring Administration LLC.

[3] All capitalized terms used but not otherwise defined shall have the meanings given to such terms in the Plan.

[4] The deadline for the Debtor to file the proposed confirmation order is May 31, 2023 at 5:00 p.m. (prevailing Atlantic Time).

[5] All of the dates and procedures set forth in this notice are subject to change by further Court order.

[6] For the avoidance of doubt, because holders of Claims in the ATOP Classes must submit their vote and/or election through the Automated Tender Offer Platform at The Depository Trust Company, the Voting Record Date shall not apply to the ATOP Classes; provided, however, the Voting Record Date shall apply to (i) any PREPA Revenue Bonds formerly insured by Assured in the primary market, and the principal amount of which was paid by Assured on or after the original maturity date of such bonds (the "Assured Matured Bonds") or (ii) any claim arising from PREPA Revenue Bonds for which voting through ATOP cannot be established ("ATOP Ineligible Bonds"). The holder as of the Voting Record Date of the (i) claims arising from the Assured Matured Bonds (including, without limitation, Assured) and (ii) claims arising from ATOP Ineligible Bonds shall not be required to tender such bonds through ATOP, and instead shall be provided with a ballot with which to vote such claims.

[7] On March 29, 2022, Prime Clerk LLC changed its name to Kroll Restructuring Administration LLC.

Sports
The New York Times

GOLF

DOUG MILLS/THE NEW YORK TIMES

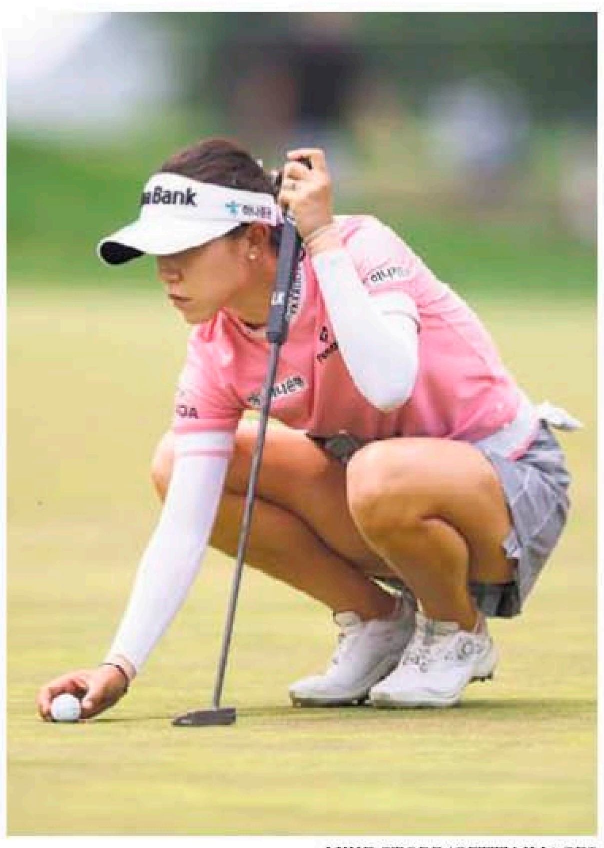
Rose Zhang at the Augusta National Women's Amateur. Her victory there let her complete women's amateur golf's version of the career Grand Slam. She plans to continue her studies at Stanford.

A Professional Debut a Long Time in the Making

Rose Zhang has been the top-ranked amateur for more than 140 weeks, which is just how she planned it.

By ALAN BLINDER

MIKE STOBE/GETTY IMAGES



MIKE STOBE/GETTY IMAGES

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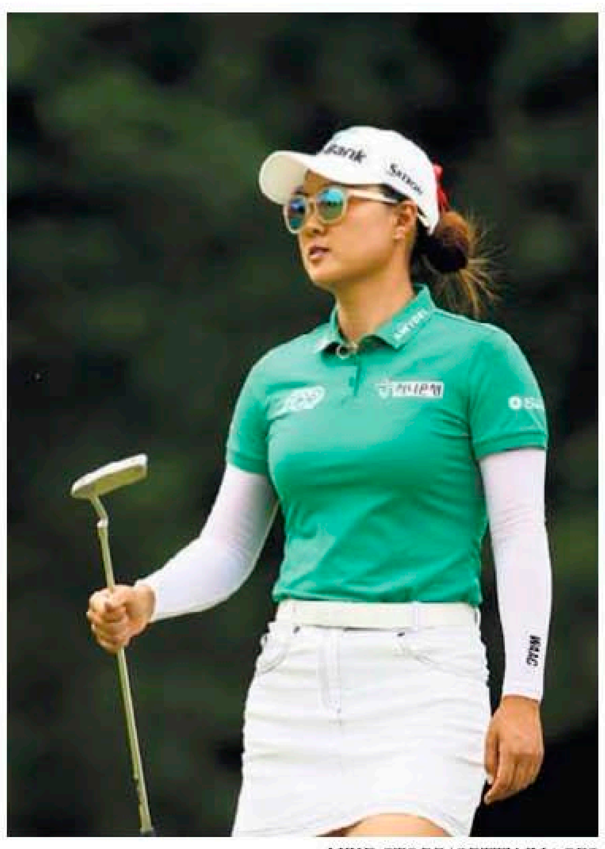


MIKE STOBE/GETTY IMAGES

From left, Nelly Korda, Lydia Ko, Jin Young Ko and Minjee Lee have been at the top of the professional ranks in women's golf. Zhang could soon provide them with more competition. "I wanted to see how I fared in college golf," said Zhang, a two-time champion in individual N.C.A.A. play, "and it turned out well."

Not long before Rose Zhang clutched a microphone on Tuesday, Michelle Wie West laughingly made an observation: Zhang might have logged more weeks as the world's No. 1 amateur women's golfer than Wie West spent as an amateur, period.

It was an exaggeration — even though Wie West became a professional at 15 years old and Zhang spent more than 140 weeks in the top spot — but it also wryly underscored how Zhang's rise in women's golf is playing out differently from how other ascending stars built their careers.

In Zhang, who will make her professional debut this week at the Americas Open in Jersey City, N.J., women's golf is getting the rare prodigy who has played for an American college. And Zhang's career, however long it lasts and whatever victories it yields, is essentially certain to become a case study in athletic development, long-range planning and skillful marketing, especially now that college athletes are allowed to make money in ways that were forbidden as recently as two years ago.

"I believe that if you're not able to conquer one stage, then you won't be able to go on to the next one and say it's time for the next step," Zhang, 20, said on Tuesday. "So I wanted to see how I fared in college golf, and it turned out well."

To put it mildly.

Zhang's victory in April at the Augusta National Women's Amateur, where she posted a tournament-record score one day and broke it the next, let her complete women's amateur golf's version of the career Grand Slam since she had already won the U.S. Women's Amateur, the U.S. Girls' Junior and an individual N.C.A.A. title for Stanford.

Another Stanford golfer, Tiger Woods, achieved a similar feat in the 1990s. But this month, Zhang added a second individual championship in N.C.A.A. play.

Woods competed for Stanford in a wholly different time for college sports, a time when N.C.A.A. athletes were barred from selling their autographs or cutting endorsement deals. When Woods turned pro in 1996, the sponsorships promptly rained down on him. Zhang's timeline has moved even faster: Wednesday is the first anniversary of the announcement that Adidas had signed her.

The economic possibilities in college sports have lately enticed top athletes to pursue degrees and cultivate their talents while earning money and curbing the immediate allures of turning pro. Those possibilities had less of an effect on Zhang, who is from Irvine, Calif., and who chose to attend college before a wave of state laws pressured the N.C.A.A. to loosen its rules in 2021.

But they could help shape women's golf going forward, particularly if Zhang proves that the American college game is far from an athletic dead-end and that pre-prom professionalism is not the surest path to stardom. For some time, it has often seemed that way: Of the women ranked in the top 10 on Tuesday, only one, Lilia Vu, played N.C.A.A. golf (at U.C.L.A.).

Zhang, who plans to continue her Stanford studies but will no longer be eligible to play N.C.A.A. golf, believes that her stint on campus has hardly been time wasted. She said in April that her tenure as a college athlete had been "such an important stage for me" because she craved figuring "out who I really was and my independence."

She added: "It really allowed me to get my own space and really understand what I'm about, and that allows me to improve on my golf game because I realize that a profession is a profession but yourself is also something that you need to work on."

Her professional prospects had not been far from mind, though. She recalled Tuesday that she told her Stanford coach from the beginning that she was aiming to become a professional, even if her schedule for doing so was hazy.

In her first season at Stanford, she said, she did not consider professional golf at all. As her sophomore year progressed, she said, it "felt like it was time for the next stage."

"I feel like right now the mind-set is also very simple: try to adjust as much as possible to tour life and figure out what it means to be a professional, what I want to do out here," said Zhang, already adorned with the logos of Adidas, Callaway, Delta Air Lines and East West Bank. "I feel like I have a lot of time to experiment what I want to do, so that's kind of the mind-set that I have going throughout my career and even going forward."

Zhang is entering the professional ranks while women's golf has no shortage of elite players. Nelly Korda, the Olympic gold medalist from the Tokyo Games, has routinely lurked around the top of leaderboards. Lydia Ko, who in 2015 became the youngest person to reach the world's No. 1 ranking in professional golf, remains such a dependable power and brilliant player that she was the L.P.G.A.'s money leader in 2022. Minjee Lee has won a major in each of the last two years, and Jin Young Ko returned to the top of the women's golf ranking this month when she edged Lee in a playoff at the Founders Cup.

Zhang, though, may be the player facing the greatest public pressure since Wie West became a professional almost two decades ago. (Wie West will step back from competitive golf after this summer's U.S. Women's Open.) Zhang insisted Tuesday that she did not feel particularly vulnerable to expectations, which she tries to perceive as more of a compliment — "They think I have the ability to go out there and win every single time" — than a demand.

"Growing up, my family and the people around me have given me high expectations for what I should do as a person, not just as a competitor or a golf player, so I kind of fall back toward those morals and who I am as an individual," she said. "That allows me to go out there on the golf course and think: 'OK, today is another round of golf. I'm going to need to do what I need to do on the golf course. If it doesn't work out, I still have a lot of things going for me in life.'"

After the inaugural Americas Open, which will be contested at Liberty National Golf Club, Zhang is expected to compete in the events that make up the rest of the year's majors circuit for women's golf. The Women's P.G.A. Championship will be played at Baltusrol in June, followed by the U.S. Women's Open at Pebble Beach in July, when the Evian Championship will also be held. The Women's British Open, scheduled for August at Walton Heath, rounds out the majors.

Zhang played in three majors last year, with her best finish a tie for 28th at the Women's British Open. (She did not enter this year's Chevron Championship, where she tied for 11th in 2020, and instead played for, and won, the Pac-12 Conference's individual championship.)

She does not, she said, have any short-term expectations for performance. This year is about finding her way — and then letting the world watch to see if her way can work.

DOUG MILLS/THE NEW YORK TIMES

Zhang after winning the Augusta National Women's Amateur. Last year, she played in three majors on the pro tour.

PRO BASKETBALL | N.B.A. PLAYOFFS

The Celtics Fall Short Again, and the Path Ahead Is Murky

BOSTON — The curtains closed on Monday night for the Boston Celtics' Jekyll and Hyde routine.

SOPAN DEB

ON PRO BASKETBALL

One hundred fifty N.B.A. teams had tried and failed to overcome a 3-0 playoff series deficit. The Celtics made it 151 with their loss against the Miami Heat in Game 7 of the Eastern Conference finals. The final game in a series full of momentum swings was not competitive: Miami led by double digits for most of the night and won comfortably, 103-84. It was Boston's third home loss of the series and a bitter disappointment for a team that reached the N.B.A. finals last season and had been expecting to return.

"We failed, I failed," a despondent Jaylen Brown told reporters after the game. "We let the whole city down."

For much of the regular season and this playoff run, the Celtics alternated between looking like an unstoppable offensive juggernaut (Games 4 and 5 against Miami) and appearing listless and uninspired (Games 3 and 7). Very few leading contenders for a championship have vacillated as wildly from night to night, from dominant to dominated, as the Celtics had this season. But entering the playoffs, the Celtics still harbored championship hopes, confident that their franchise centerpieces, Jayson Tatum and Jaylen Brown, and a versatile roster ready to supplement them would find a way to win.

For most of their careers, Tatum, 25, and Brown, 26, had led unexpectedly deep postseason runs. Beating expectations became their brand. This year was their fourth time making at least the conference finals in the past six years.

Yet after Boston lost to the Golden State Warriors in the N.B.A. finals last season, this was the year that the bar was raised. A championship was the goal. Tatum, Brown and their teammates could no longer merely exceed expectations: The Celtics were the expected.

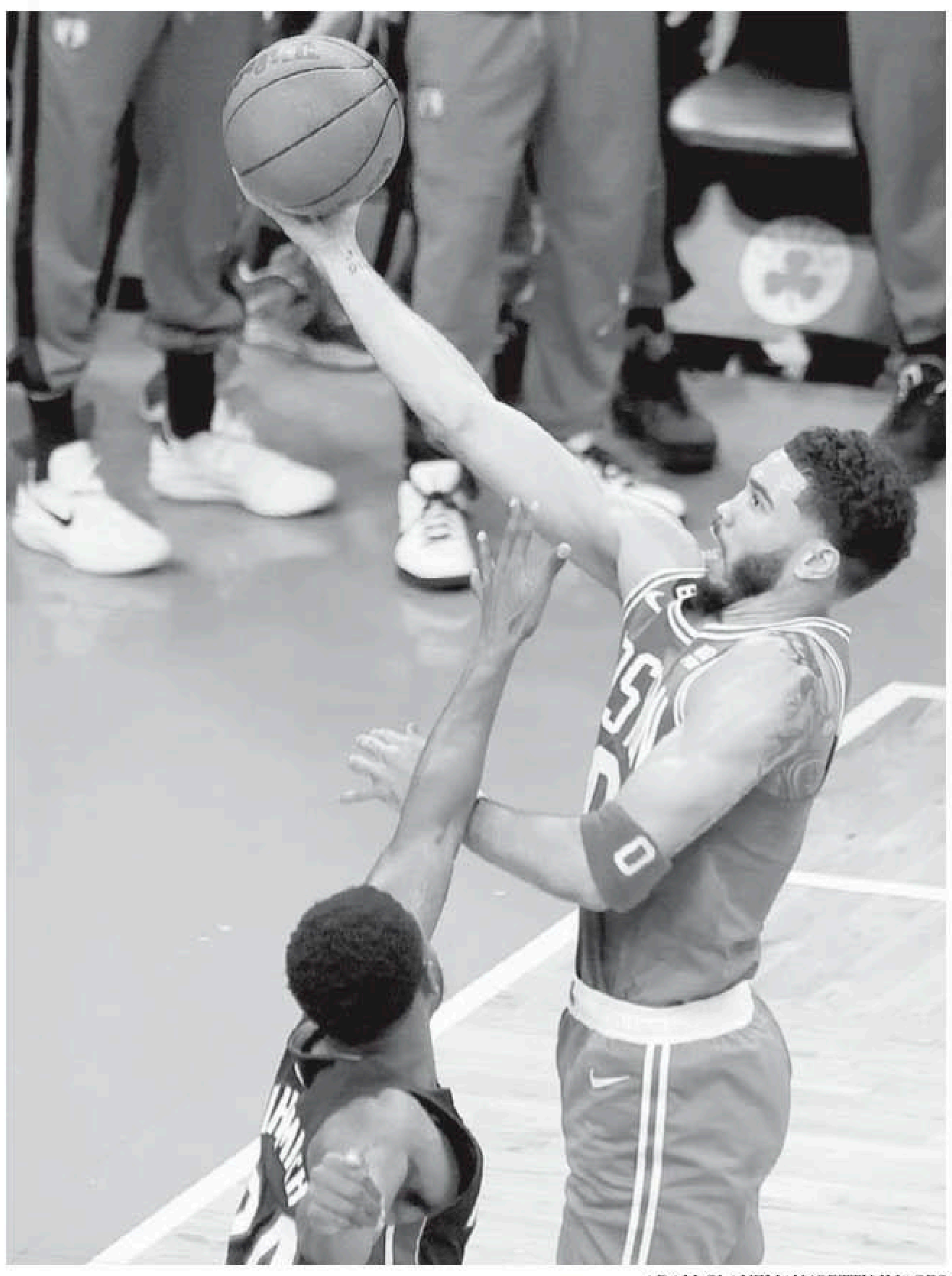
Instead, the Celtics will now have to contemplate if Brown and Tatum can be the partnership that carries this team over the final hurdle. And the Celtics' ownership, along with the team president, Brad Stevens, will have to decide if Joe Mazzulla, the 34-year-old head coach with only one season under his belt, is the right person to lead the team.

Mazzulla was unexpectedly given the job just before training camp in September after the abrupt suspension and eventual firing of Ime Udoka.

He was a surprising choice: His only head coaching experience was at Fairmont State, a Division II program in West Virginia, and he had been an N.B.A. assistant for three years. He was suddenly given the task of taking a team to the top of the mountain.

One of the Celtics' big acquisitions last summer, forward Danilo Gallinari, tore a knee ligament and missed the season. And one of the team's defensive anchors, Robert Williams III, didn't make his debut until April after a knee injury. Still, Mazzulla got the Celtics off to a blistering 21-5 start.

WINSLOW TOWNSON/USA TODAY SPORTS, VIA REUTERS



ADAM GLANZMAN/GETTY IMAGES

Above, from left, Jayson Tatum, Marcus Smart and Jaylen Brown watched the end of the Celtics' season on Monday night. Tatum, left, scored only 14 points in Boston's Game 7 defeat.

But in the regular season, the Celtics fell into stretches of lackadaisical, head-scratching play, as when they blew a 28-point lead to the Nets in March. That carried over into the playoffs: Against the Heat, the Celtics routinely blew double-digit leads. Yet they still clawed their way to the doorstep of the N.B.A. finals.

"It's something that continues to happen," Celtics center Al Horford said of the team's shifting performances. "It's a pattern that happens with us. We're going to have to do some soul-searching there, because some things have to change in that regard."

For some, the verdict is clear: Swings like that are not good enough. Mazzulla, with his penchant for not calling timeouts and guiding the Celtics to flat efforts like Monday night's, isn't the right person for the job.

To those who like their glasses half full, Mazzulla's first year as coach, without a full off-season to prepare, was impressive. He hastily put together a system that led to the second-best offense and defense in the N.B.A. Tatum and Brown had their best seasons. As for suggestions that his inexperience made him unfit for the job, Mazzulla will now have a year of experience, a deep playoff run under his belt and a full off-season to make changes. And his biggest star offered his support on Monday.

"I think Joe did a great job — we won 50-some odd games," Tatum said. " We got to Game 7, conference finals. Obviously, everybody can be better, learn from this. But I think Joe did a great job."

Some of this decision-making about roster construction before next season may not be up to Boston at all. The team doesn't have cap space or particularly valuable draft picks. Brown, who made the All-N.B.A. second team this year, is a free agent after next season. He is eligible for a contract extension worth close to $300 million if he chooses to stay with the Celtics, an amount no other team can offer him.

Boston's biggest roster problem is that under the N.B.A.'s new collective bargaining agreement, higher-spending teams face more restrictions in building their rosters. This means that keeping Tatum and Brown together may be close to impossible for the Celtics, even if they want to continue to build around them.

And Brown may not want to stay. In multiple interviews this season, Brown has expressed reservations about life in Boston.

Asked Monday night about his thought process entering the off-season as he considers a potential contract extension, Brown paused for several seconds.

"I don't even really know how to answer that question right now, to be honest," Brown said.

Tatum was more clear: He said it was "extremely important" that Brown be re-signed.

"He's one of the best players in this league," Tatum said. "He plays both ends of the ball and still is relatively young. And he's accomplished a lot so far in his career. So I think it's extremely important."

Questions (but few answers) about stars, contracts and a coach.

Brown certainly grew this season. At times, he, not Tatum, was the team's best player. But in the playoffs, Brown was again unreliable, and defenses focused on his biggest weakness: ball handling.

This is the conundrum for the Celtics. It's entirely possible — even likely — that the Celtics haven't seen the best of Tatum and Brown, given their ages. With a summer of preparation for Mazzulla, another jump from Tatum and Brown and a fully healthy roster, they will surely be in title contention again. Growth doesn't have to be linear.

That's the easy and convenient solution. But what if this is the limit for the best young tandem in the league? With the N.B.A.'s stringent cap limitations, the Celtics don't have a lot of ways to get better that don't involve moving on from Brown.

The Celtics faced a similar quandary two decades ago with Paul Pierce and Antoine Walker, two beloved All-Stars. At the time, they were at around the same ages and stages of their careers as Tatum and Brown are now. Pierce was clearly the better player, but Walker helped Pierce lead the team to the conference finals in 2002. When Danny Ainge took over the team's basketball operations the next year, he tore down the team and traded Walker, gambling that he and Pierce had peaked as a pairing. The fan base was initially irritated, but the move ultimately paid off with a championship in 2008.

There's a thin line between true contenders and high-level pretenders in the N.B.A. Now that their latest title pursuit has come up short, the Celtics face difficult questions about which path forward puts the team firmly in the contender camp.

Heat Reach the Finals the Hard Way, Which Is How They Like to Do Things

By SCOTT CACCIOLA

BOSTON — The N.B.A.'s Eastern Conference championship trophy had found its way to the visiting locker room at TD Garden on Monday night. Set atop a couple of packing trunks with metallic trim, the trophy — a sterling silver replica of a basketball — was an attraction for the Miami Heat, who had earned it the hard way with their stunning 103-84 victory over the Boston Celtics in Game 7 of the conference finals.

Players and staff members, clad in N.B.A. finals hats and T-shirts, positioned themselves next to the trophy for photographs and selfies, memorializing the team's beautiful struggle before a late-night flight to Denver, where they will face the Nuggets for the N.B.A. championship starting Thursday.

"We never thought it would be easy," Miami forward Bam Adebayo said.

The Heat's resurgence as the East's No. 8 seed has surprised everyone but them. Even when they were scuffling through the regular season, losing nearly as often as they won, Coach Erik Spoelstra stuck with his approach. Spoelstra said they were capable of improving if they continued to focus on their daily work. There was nothing especially sexy about it — meeting after frustrating losses, watching film, practicing hard.

"I think probably people can relate to this team," Spoelstra said. "Professional sports is just kind of a reflection sometimes of life, that things don't always go your way. The inevitable setbacks happen, and it's how you deal with that collectively. There's a lot of different ways that it can go: It can sap your spirit. It can take a team down, for whatever reason.

"With this group, it's steeled us and made us closer and made us tougher."

They will need that toughness against the top-seeded Nuggets, who secured their first trip to the N.B.A. finals by completing a sweep of the Los Angeles Lakers in the Western Conference finals a week ago. The Heat are just the second eighth seed, after the 1998-99 Knicks, to reach the championship round under the current playoff format.

"Everybody's confidence is so high," said Heat forward Jimmy Butler, who was named the most valuable player of the series after scoring 28 points in Game 7. "We have belief that we can do something incredibly special. So we are going to hit the ground running when we get to Denver, and I like our chances."

For its next trick, Miami will try to slow Nikola Jokic.

The Nuggets, who are rested and deep, are most likely the Heat's toughest challenge to date. At Butler's postgame news conference, he was asked how he and his teammates planned to slow Nikola Jokic, the Nuggets' star center and a two-time league M.V.P. Butler said he was giving himself until midnight — it was 11:42 p.m. at the time — before he began to think about the coming series.

"I don't know," he said. "I've got two days to figure that out."

At this late stage, though, the Heat appear to savor absurd tests. They traveled a long road just to reach the conference finals. They had to defeat the Chicago Bulls in a play-in game to slip into the postseason. They proceeded to lose two rotation players, Tyler Herro and Victor Oladipo, to injuries in their first-round series with the East's No. 1 seed, the Milwaukee Bucks.

After Miami won the first three games of its series with Boston, Spoelstra said "a lot of pent-up stuff" had been fueling his team, but declined to elaborate. His players were more forthcoming: They recalled being eliminated by the Celtics in the conference finals last season, an especially disappointing exit since the Heat were the East's top seed and the series went seven games.

This time around, the Heat built a 3-0 series lead — and promptly lost three in a row, a demoralizing stretch that included a brutal, last-second loss in Game 6 when the Celtics' Derrick White converted a put-back layup at the buzzer off an errant 3-pointer. The Heat could have crumbled. Instead, they dipped into their bottomless well of perseverance.

"Sometimes you have to suffer for the things that you want," Spoelstra said, adding: "Sometimes you have to laugh at the things that make you cry."

On Monday, before a hostile Boston crowd that was at a fever pitch during player introductions, the Heat seemed intent on drowning out the noise by relying on their defense. The Celtics missed all 10 of their 3-point attempts in the first quarter. (Making matters worse, Jayson Tatum, the Celtics' best player, appeared limited after he sprained his left ankle on the team's opening possession.) The Heat led by as many as 17 points before halftime.

Caleb Martin, a small forward who moved into the starting lineup for Games 6 and 7, was the Heat's most consistent player of the series. He had 26 points in Game 7 and made 11 of his 16 shots, including four 3-pointers.

MICHAEL DWYER/ASSOCIATED PRESS

Jimmy Butler, center, was named the most valuable player of the Eastern Conference finals.

Gabe Vincent, the team's starting point guard, played the final two games with a sprained ankle. And Duncan Robinson came off the bench to make timely 3-pointers.

"We have some hoopers," Butler said. "We have some real-deal basketball players that can score, can defend and can pass and can win games for us."

The Heat's role players were the difference against the Celtics, who figured to make another deep playoff run after losing to the Golden State Warriors in the N.B.A. finals last season. But obstacles — both predictable and unforeseen — hindered them before they even convened for the preseason.

Atop the list was the sudden absence of Ime Udoka, who, as the Celtics' first-year head coach last season, left his defense-minded imprint on the team. But in September, less than a week before training camp, the Celtics suspended him for the season for "violations of team policies."

The entire situation cast an unwelcome shadow on the Celtics as they sought to focus on the season ahead. "It's been hell," Marcus Smart, the team's starting point guard and last season's defensive player of the year, said at the time.

Instead of going outside the organization to hire an experienced coach as Udoka's replacement, the team prioritized continuity by temporarily promoting Joe Mazzulla, who had been an assistant on Udoka's staff.

The Celtics named Mazzulla as their permanent head coach in February and officially severed ties with Udoka, whom the Houston Rockets hired as head coach last month.

But Boston slumped over the final weeks of the regular season, slipping to the No. 2 seed in the East behind Milwaukee, and needed six games to eliminate the Atlanta Hawks in the first round.

The pressure only mounted on Mazzulla — and on the team's two stars, Tatum and Jaylen Brown — during the Celtics' conference semifinal matchup with the Philadelphia 76ers. Tatum and Brown were inconsistent as the series stretched to seven games.

But after Tatum scored 51 points in a series-clinching tour de force against the 76ers, the Celtics ran into the Heat, a savvy and experienced opponent with payback in mind.

The Heat were not about to let up against the Celtics — not after a season of growth under Spoelstra, not with Butler filling his more unsung teammates with confidence, and not against an opponent that had buried Miami's championship dream a year ago.

"Nobody is satisfied," Butler said. "We haven't done anything. We don't play just to win the Eastern Conference — we play to win the whole thing."

TENNIS | FRENCH OPEN

Russian Teenagers Could Provide The Sport's Next Great Sister Act

By MATTHEW FUTTERMAN

PARIS — Long day for the Andreeva family.

First came an early rise to get Mirra, a 16-year-old Russian, ready for her 11 a.m. French Open debut against Alison Riske-Amritraj of the United States. Mirra was as efficient as they come, finishing her match Tuesday in 56 minutes by improvising an array of easy, smooth winners against an opponent twice her age.

"I just play as I feel inside," she said.

Then came a long wait for Mirra's older sister, 18-year-old Erika, who was last up on Court No. 14 against Emma Navarro, another American. She took the court just after 7:30 p.m. in Paris. With the sun dropping toward the banks of the Seine, she gave every ounce of energy she had to try to match her sister's success before Navarro won in three sets, 2-6, 6-3, 6-4.

One family, more than a dozen hours on the grounds of Roland Garros, a 16-year-old in the second round, and an 18-year-old who came oh-so-close. So it goes for the newest sister act in tennis.

If this all sounds a bit familiar, it should. Sister acts are not exactly new in women's tennis, which was headlined for more than two decades by the American duo of Serena and Venus Williams. They won a combined 30 Grand Slam singles titles. Venus Williams, 42, still has not retired, though another major title seems unlikely.

More recently, Naomi Osaka of Japan and her sister, Mari, had their moments, though Mari never got higher than 280th in the singles rankings before retiring in 2021 at age 24. Leylah Fernandez of Canada, a 2021 U.S. Open finalist, has partnered in doubles with her younger sister Bianca. This French Open main draw even had another sister duo — Linda and Brenda Fruhvirtova of the Czech Republic. Both lost their opening-round matches.

Coaches and parents — who are often one and the same — say the reasons for sisterly success is fairly obvious: never having to look far for a practice partner. Also, the younger sibling grows up with the motivation of trying to overtake the older one. And yet the accomplishment still feels a bit astounding each time it happens, even more so when the journey starts in Siberia, as it did for the Andreevas.

Mirra said her mother, Raisa, fell in love with the sport while watching Marat Safin of Russia in the Australian Open in 2005, when he won the tournament. She decided then that she wanted her children to be tennis players.

As a toddler, Mirra trailed along to her sister's tennis practices and matches. At 6, she started playing seriously herself. When the girls showed early promise the family moved from Siberia, which was not exactly teeming with tennis players or tennis-friendly weather, to Sochi, Russia, with a mild climate along the Black Sea, and then Cannes, France, where they enrolled in a tennis academy.

Medvedev, no fan of clay, loses to a player ranked No. 172.

Mirra said she was about 8 years old when she competed in her first international tennis tournament, an under-12 competition in Germany, where she made the semifinals. At 12, a recruiter for IMG, the sports and entertainment firm, spotted her at a tournament for top juniors.

"She was a small player but she was feisty and fighting and just running for the ball and a great competitor and that was the differentiator," said Juan Acuna Gerard, an IMG agent.

The company now represents Erika, too.

Last month, still not 16, Mirra became one of the youngest players to beat a top-20 opponent, knocking off Beatriz Haddad Maia of Brazil on her way to the round of 16 at the Madrid Open.

She said she wasn't nervous then, or ahead of her match Tuesday. She needed her alarm to wake her up in the morning.

"I was excited but in a good way, you know?" Mirra said.

The Andreeva sisters worked under the radar on a day when much of Roland Garros was buzzing about one of the biggest upsets in recent memory, as Thiago Seyboth Wild of Brazil, 172nd in men's singles, beat Daniil Medvedev, the former world No. 1 who is the second seed at the French Open, in five sets.

Medvedev, who excels on hard courts, has never been a fan of clay-court tennis or had much success at Roland Garros, although he won the final earlier this month at the Italian Open, the main clay-court tournament ahead of the French Open. But Medvedev was never comfortable on a gusty afternoon, spraying balls in the wind, double-faulting 15 times and catching an opponent playing the match of his life.

"Every time it finishes I'm happy," Medvedev said of his clay-court season. "I had a mouthful of clay from the third game of the match."

Mirra Andreeva had no such issues. Her biggest problem of the day was that her sister's match started too late for her to hang around to watch it. That may have been for the best. She said she gets far more nervous watching her sister's matches than while playing her own.

Tuesday evening would have caused plenty of jitters. Erika dropped a messy first set, gritted her way to draw even with a clinic in tennis defense, then surged to a 3-0 lead in the deciding set, only to watch Navarro find her groove and win six of the next seven games.

The loss left Mirra to carry the family torch the rest of the way in Paris. She will face Diane Parry of France on Thursday, no easy task but it beats chemistry, the class that she said befuddles her in her online school.

"Chemistry is so bad," she said.

CLIVE BRUNSKILL/GETTY IMAGES

JULIAN FINNEY/GETTY IMAGES

Mirra Andreeva, top, won her opening match on Tuesday while her older sister, Erika, above, lost.

"I don't understand anything."

Tennis, on the other hand, comes much more naturally. Her coaches — she and Erika have separate ones — give her a game plan before each match. She listens, takes it in, then forgets what she was told almost as soon as she walks onto the court, playing by feel instead.

"If I feel that I have to do a drop shot, even though the score is not really appropriate to do a drop shot, I will do it anyways," she said. "I don't know how to explain."

For the moment, she does not have to.

HORSE RACING

Kentucky Regulators Meet to Review Horse Deaths

By JOE DRAPE

The Horseracing Integrity and Safety Authority gathered Kentucky state regulatory veterinarians, along with vets from Churchill Downs, on Tuesday to examine why 12 horses have been fatally injured at the historic racetrack in a matter of weeks and to decide whether to recommend pausing racing there.

Lisa Lazarus, the chief executive of the authority, called the "emergency veterinary summit" in Lexington, Ky., to review necropsies, toxicology reports and veterinarians' and trainers' notes on the deaths, seven of which preceded this month's Kentucky Derby. The deaths have cast a pall over the Triple Crown season, the few weeks each spring when casual sports fans have heightened focus on horse racing.

In addition, the authority has asked a longtime California track superintendent, Dennis Moore, to examine the racing surfaces at Churchill Downs in Louisville, Ky., and offer an independent analysis of the dirt and turf courses' suitability for racing.

"I have not had a single jockey or trainer tell me that they believe the track is a factor in these fatalities," Lazarus said. Most of the deaths occurred after horses broke down while racing.

FRANK SUMPTER, VIA ASSOCIATED PRESS

Wild on Ice, a Kentucky Derby qualifier, was euthanized in April.

Along with a review of the protocols Kentucky state veterinarians follow to make sure horses are fit to race, Lazarus said that vet records would be scoured for illegal or misused drugs. She said the authority would apply "very intense scrutiny from a testing standpoint to any horse that we're concerned about" as well as increased surveillance and attention on their trainers.

The reviews of the veterinary and medication history of each horse were led by Dr. Jennifer Durenberger, the authority's director of equine safety and welfare.

"It's basically trying to get a whole snapshot of that horse's history in the month leading up to the injury," Lazarus said. "We have to turn over every leaf, look under every stone."

She said her agency would have a recommendation from the summit by the end of Wednesday about whether and how Churchill should proceed with racing.

"Everyone is committed to figuring out what is happening and committed to stopping it," Lazarus said.

Lazarus acknowledged that the authority could not force Churchill Downs to stop holding races, but it could prohibit the track from sending the broadcast of its races to other courses or internet betting sites to be wagered on. That would be costly to Churchill, which receives a percentage of those bets.

"My strong view is that if we were to make a recommendation to Churchill Downs to shut down racing that they would accept that recommendation," Lazarus said.

The authority is flexing its muscles as troubles in horse racing are raising questions about how long America's oldest sport can continue to have its social license renewed.

The authority was established by Congress and is overseen by the Federal Trade Commission to ensure the health and safety of horse racing's athletes — human and equine. Its main objective is to eliminate doping and abuse within thoroughbred racing.

The authority's racetrack safety program began on July 1, 2022. Its antidoping program went into effect May 22, two days after the Bob Baffert-trained colt National Treasure won the Preakness Stakes, signaling the return of the most accomplished and controversial horse trainer in America to Triple Crown racing. The victory came after Baffert's two-year ban from the Derby, the sport's premier stage, because of a doping violation, and hours after another one of his horses died competing in an undercard race at Pimlico Race Course in Baltimore.

Earlier that week, The New York Times had revealed that Forte, last year's 2-year-old champion and the favorite to win the 2023 Kentucky Derby until he was scratched the morning of the race, failed a post-race drug test in New York eight months earlier.

The colt, trained by Todd Pletcher, had tested positive for meloxicam, a potent nonsteroidal anti-inflammatory drug used to manage pain and swelling, after the Hopeful Stakes. The drug, widely prescribed to treat osteoarthritis and rheumatoid arthritis, is not approved in the United States for racehorses in training.

New York regulators suspended Pletcher, a Hall of Fame trainer, for 10 days, fined him $1,000 and disqualified Forte.

The sport was rocked in 2019 after 30 horses died at Santa Anita Park near Los Angeles in a span of six months, news that made national headlines and earned the scrutiny of California lawmakers and animal rights activists.

In response, state and racing officials strengthened regulations regarding the use of riding crops and medications for horses; education for trainers and jockeys; track safety; and recuperation policies for injured horses. Last year, 12 horses died at Santa Anita, and thoroughbred fatalities throughout California fell 54 percent from 144 in 2019 to 66 for the last fiscal year.

Asked if similar measures might be implemented not only at Churchill but nationally, Lazarus said: "Everything is on the table."

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PRO FOOTBALL

JEFFREY T. BARNES/ASSOCIATED PRESS

Damar Hamlin was on the Bills' practice field on Tuesday.

Hamlin's Return to Practice Appears Close to Normal

By DAN HIGGINS

ORCHARD PARK, N.Y. — Damar Hamlin was easy to spot on the sideline of the Buffalo Bills' practice field Tuesday morning.

Most of the defensive players on the "blue" side wore helmets for the team's optional workouts. Hamlin's head was instead covered in a pink tie-dyed beanie with a Bills logo, a sign that the safety was not yet tackling teammates.

It was the second on-field workout for Hamlin, 25, since he received lifesaving care after undergoing cardiac arrest on the field during an N.F.L. game on Jan. 2. Three specialists cleared Hamlin to return to football in April and he participated with teammates in drills last week during the team's first off-season workouts.

As the voluntary training resumed on Tuesday, Hamlin's pink head gear was one of the few signs that the mundane drilling and stretching marked a milestone that was nearly unthinkable a few months earlier.

Hamlin walked with his teammates up and down the field, next to the Bills' Highmark Stadium, as players scrimmaged. The third-year defender participated in drills and at one point ran a route with the offense, catching a pass in the end zone from the backup quarterback Matt Barkley.

At one point during the workout, which lasted nearly two hours, Hamlin got ribbed during a chat with fellow defensive backs Jordan Poyer and Micah Hyde.

"I was teasing him a little. I told him he was looking swole," Hyde said after practice. "He told me he got to lift a little weight yesterday."

The near normalcy of Hamlin's appearance in a football workout is a far cry from the tense nine minutes in January during which trainers and physicians performed CPR on him while television cameras captured the grief-stricken faces of Bills players. Hamlin was revived and was taken off the field in an ambulance.

After his release from the hospital later that month, Hamlin made a number of high-profile public appearances. He helped to honor Bills training and medical staff, as well as the hospital employees who treated him, during a pregame ceremony at the Super Bowl in February. Days before the game, Hamlin gave an emotional speech after accepting the Community Award during the N.F.L. Honors ceremony.

In March, Hamlin met with President Biden in the Oval Office and spoke before Congress in support of a bill that, if passed, would fund access to automated external defibrillators in schools.

Last week, the Bills posted a video of several players and staff members receiving training in CPR and the use of defibrillators ahead of Hamlin's return.

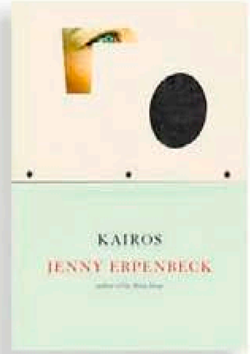
The team's contact drills are scheduled to begin next week, when Bills players are slated for three practices. Though General Manager Brandon Beane said Hamlin had been "fully cleared" for football activities, Hyde acknowledged that players can experience an initial reluctance to return to the violent collisions that are inherent to the game.

Hyde injured his neck last season during Week 2, and underwent spinal surgery to remove a herniated disc and fuse two vertebrae together. He returned to practice on Jan. 12, just days after Hamlin's near-death experience.

Hyde said anytime a player comes back from an injury, "there's a little mental block to get out there and go play fast. It's such a violent game."

6 THEATER
A female version of the DNA story. BY LAUREN ROSENFIELD

6 MUSIC
Giving a poem a new type of energy. BY SETH COLTER WALLS



2 BOOK REVIEW
Power plays, chaos and abundant tears permeate a torrid affair. BY DWIGHT GARNER

Arts
The New York Times

The video wall in the lobby of David Geffen Hall at Lincoln Center showed Gustavo Dudamel conducting the New York Philharmonic this month. He will be the ensemble's next music director.

Judith LeClair, the Philharmonic's principal bassoon, greeting Dudamel.

Orchestra members rehearsing Mahler's Ninth Symphony.

Dudamel pausing backstage before meeting with percussionists.

Our photographer captures the maestro leading the New York Philharmonic for the first time since being named its next music director.

Hugs and Mahler for Gustavo Dudamel

Photographs by JAMES ESTRIN | Text by JAVIER C. HERNÁNDEZ

The violins were tuning, the woodwinds warming up and the trumpets blaring bits of Mahler. Then the musicians of the New York Philharmonic began to whistle and cheer.

Gustavo Dudamel, one of the world's biggest conducting stars, strode onto the stage this month for his first rehearsal with the Philharmonic since being named the ensemble's next music director. On the program was Mahler's epic Ninth Symphony.

"I will have the opportunity in the next few days to hug everybody," he told the musicians, smiling and pumping his fist. "I'm very honored to become part of the family."

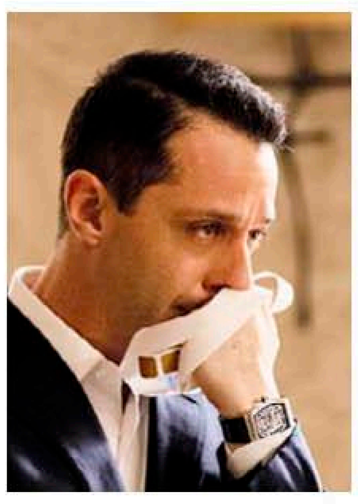
As it happened, the orchestra's new hall, the recently renovated David Geffen Hall at Lincoln Center, was occupied that day, so Dudamel's first rehearsal took place at its old home, Carnegie Hall. Dudamel said that he felt a connection to Mahler, who conducted the Philharmonic at Carnegie when he was its music director from 1909

CONTINUED ON PAGE C4

Fulfilled by a Thwarted Succession

Jeremy Strong reflects on the rise and fall of Kendall Roy.

By ALEXIS SOLOSKI



The actor Jeremy Strong in the HBO series "Succession," which concluded on Sunday.

When filming on the final season of "Succession" wrapped this winter, the actor Jeremy Strong flew to the Danish fishing village where he and his wife have a home. Alone, he went for a walk on the beach.

"I watched the sunset and tried to say goodbye to a character I'm sure will always be with me, will always be part of me," he said.

For Strong, who began filming the HBO drama seven years ago and won an Emmy for playing Kendall Roy, this was a happy ending. An actor of unusual commitment, he works to give himself over to a role entirely. With Kendall, the wounded son of Logan Roy (Brian Cox), a brutally successful media mogul, he felt that he had.

But for the character, "Succession," created by Jesse Armstrong, concluded on bleaker terms. Kendall began Sunday's finale episode believing that he would emerge as the chief executive of a giant conglomerate. But the final scene, which also took place at the water's edge, also at sunset, left Kendall numb, friendless, bereft.

"Somebody once said that actors are emotional athletes," Strong said. "And this show has been like a decathlon for me."

He has since recovered. And from a flashy Manhattan hotel room, Strong,

CONTINUED ON PAGE C3

JESSE GREEN | CRITIC'S NOTEBOOK

In a City of Monuments, History Lives Onstage

Three plays in Washington look backward, and ahead.

WASHINGTON — Although James Ijames does not specify the setting of his new play, "Good Bones," it sure seems like Washington. For one thing, a character says it "used to be a swamp."

That checks out; when I paid a visit to the capital last week, the summer humidity was already settling in. And hasn't Washington become, as Ijames writes of the play's locale in an introduction to the script, one of those places "that is now too expensive for most people to live"? It has: My older son, an elementary school teacher in D.C., is just squeaking by.

Well, lots of cities are wet and pricey. But when two characters in "Good Bones" — one a homeowner renovating a townhouse and the other a contractor intimately familiar with its former incarnations — discover they both grew up in a nearby project called Dunbar Gardens, local bells may ring. The Paul Laurence Dunbar apartments are less than a mile from the Studio Theater, where

CONTINUED ON PAGE C2

JESSE GREEN | CRITIC'S NOTEBOOK

In a City of Monuments, History Lives Onstage

CONTINUED FROM PAGE C1
the play is running through June 18.

Of course, there are apartment complexes named for Dunbar, one of the country's first Black poets to gain widespread recognition, in several American cities. Still, anyone who spends even a little time observing Washington's glassy new high-rises squeezed up against its squat Federal piles, many built by enslaved people, will recognize Ijames's spiritual geography: a place where history is both erased and inescapable.

So even if it was a coincidence that the tension between past and present informed all three plays I saw during my visit, it was a telling one. "Good Bones," Ijames's follow-up to his Pulitzer Prize-winning "Fat Ham" (now on Broadway), examines the theme through the lens of contemporary gentrification — though the gentrifiers and the gentrified are, in this case, both Black. The familiar knots of privilege and appropriation become even more tangled when the people raising the property values grew up in the same neighborhood as the people they're pricing out.

The other plays look further back, and at other forms of erasure. "Here There Are Blueberries," which I saw at the Shakespeare Theater Company, concerns the discovery in 2006 of an album of 116 photographs that depict daily life among the residents of Auschwitz. Mind you, these are not the concentration camp's prisoners, who are never seen, but the jolly-looking Nazis who ran it. Why such an album survived, and what should be done with it, are questions that bedevil the archivists who narrate the story.

Our responsibility to the past is also the crux of Kenneth Lin's "Exclusion," at the Arena Stage. The title refers, in part, to the Chinese Exclusion Act of 1882, which prohibited the immigration of Chinese laborers; designed to last 10 years, it was not repealed until 1943. The law, as well as the anti-Asian violence it in essence sanctioned, is, in the play, the subject of a book by Katie, a Chinese American historian who sells the television rights to Hollywood.

You could almost write the next beat yourself: Katie finds herself participating in egregious falsifications, as a terrible injustice is turned into entertainment by the dumbing-down machine. It's a heavy if sadly believable irony that the mini-series created by a producer sidelines its historical conscience (Katie gets fired) and eventually excludes the Exclusion Act itself.

But because Lin's play, running through June 25, is a satire, the curtain does not come down on that downer. In a comic turn-

DJ COREY

MARGOT SCHULMAN

MARGOT SCHULMAN

From top, "Here There Are Blueberries," with Scott Barrow, left, which played at Shakespeare Theater Company; from left: Joel Ashur, Johnny Ramey and Cara Ricketts in "Good Bones" at Studio Theater; Tony Nam, right, and Karoline in "Exclusion" at the Arena Stage.

Good Bones
Through June 18 at the Studio Theater in Washington; studiotheatre.org.

Exclusion
Through June 25 at Arena Stage in Washington; arenastage.org.

around that could be motivated more clearly, Katie comes to believe that the producer's rewrites are justified. Yes, he has turned a doctor who in real life was lynched by a mob into a kung fu expert who lynches the mob instead. And yes, he has transformed a humble seamstress into a prostitute to make the role more attractive to the actress who will play the role. Still, when the show becomes a huge critical and popular success, providing visibility to Asian actors and a boost to her career, Katie accepts the strange trade-off of being seen by being erased.

As directed by Trip Cullman with the bright colors and swift pacing of situation comedy, "Exclusion" is instantly legible and accessible. Still, its emotional high point is just the opposite: a halting conversation between Katie and the actress that takes place in unsubtitled Cantonese. And though what they say is thus incomprehensible to those who do not speak the language, it dramatizes with great poignancy the power of what we can sense but not understand.

There are moments like that in "Good Bones," too. The homeowners, Aisha and Travis, hear sounds in their house they cannot explain. Are they the voices of ghosts whose lives are being painted over by the beautiful pale blue of their new kitchen?

Yet the plot turns, somewhat squeakily, on sounds they can explain all too well: booming music from a late-night party nearby. When Travis, over Aisha's objections, calls the police to complain about his neighbors, the conflict is set in motion, pitting the entitlement of new wealth against the traditions of old community.

The questions Ijames raises in "Good Bones," directed by Psalmayene 24, are profound: How can cities feel welcoming to people whose ideas of welcome are incompatible? What is the responsibility of newcomers to the surviving structures, both physical and emotional, of the past? And though those questions do not yet coalesce into a tight narrative — the tacked-on happy ending is a carpentry job their contractor would redo immediately — "Good Bones" is a house in progress. By the time it gets to New York (the Public Theater plans to present it in an upcoming season) it may well look and feel completely different.

"Here There Are Blueberries," a Tectonic Theater project conceived and directed by Moisés Kaufman, also approaches history as a living process. Like previous Tectonic works, including "The Laramie Project" and "Gross Indecency: The Three Trials of Oscar Wilde," it proceeds in the form of an investigation based on interviews and relevant documents.

In this case, the interviews begin with archivists at the United States Holocaust Memorial Museum — not far from the theater — as they process the astonishing trove of photographs sent to them by a possible donor who says little about how he got them. The images of Auschwitz leaders and workers enjoying outings and singalongs and rewards for their "accomplishments," including bowls of fresh blueberries, seem to say almost too much.

By the time the play introduces another Auschwitz album — one that fills the historical and emotional gaps of the first with images of inmates — you understand why, as a former Nazi propagandist explains, "One must harden oneself against the sight of human suffering."

Yet I'm not sure plays should. "Blueberries," which closed on Sunday in Washington but will be presented next spring at New York Theater Workshop, is so brisk and unsentimental it sometimes feels merely clinical, or perhaps surgical, its unbearable topic opened up for autopsy.

That's effective, but the more powerful moments for me are those in which characters vitally and morally involved in the story — descendants of Nazis, a survivor of the camp — speak from painful experience about the ways history implicates them, and all of us, even as it starts to fade from collective memory. The procedural mysteries of the albums are, after all, less important than the living fact of their irrefutable testimony.

Theater is its own kind of testimony. "Blueberries," like "Exclusion" and "Good Bones," uses drama (and comedy) to extend our thinking about the legacies of prejudice and resistance, power and deprivation. But then so does any tour of this history-rich, antihistorical city. As our teacher son walked us back to our hotel after seeing "Blueberries," I asked him about a particularly impressive Beaux-Arts building we passed. "The Carnegie Library," he said. "It's now an Apple store."

DWIGHT GARNER | BOOKS OF THE TIMES

A Cold War Affair Born of Chaos and Control

In East Berlin, a young woman submits to a powerful man in a world sweeping away a shared past.

THE FIRST THING TO KNOW about Jenny Erpenbeck's new novel, "Kairos," is that it's a wallow. I was in the mood for one. It's a cathartic leak of a novel, a beautiful bummer, and the floodgates open early.

Iris Murdoch described the shedding of tears as "usually an action with a purpose, a contribution even to a conversation." Samuel Beckett took a dimmer view. He wondered if tears were "liquefied brain."

In "Kairos," which is about a torrid, years-long relationship between a young woman and a much older married man, the tears are of every sort: smart and stupid, ugly and otherwise, precipitated by pleasure, pain, laughter, confusion.

This is East Berlin in the late 1980s, just before the fall of the wall. The young woman, Katharina, is a theater design student. Her eyes are described as "fishy"; at the start, she is 19.

Hans, a 50-something novelist and high-minded writer for radio, is handsome and rangy, and he looks fine with a cigarette. Katharina doesn't like to weep in front of him, so when she anguishes one evening over a coming internship that will keep her in Frankfurt for a year, she waits until he steps out to run some errands:

> *She takes advantage of his absence and cries now. Cries as she vacuums, cries as she cleans the kitchen, cries in the bathroom as she scrubs the shower and sink, only briefly stops crying when she goes to take the empty bottles downstairs and starts to cry the minute she's back in the apartment, cries as she takes down the pictures which she and Hans hung up together.*

To witness someone else's tears is not necessarily to be moved yourself. But to absorb "Kairos" is — like reading "Wuthering Heights" or "On Chesil Beach," listening to albums like Lou Reed's "Berlin" or Tracey Thorn's "A Distant Shore," watching the film "Truly, Madly, Deeply" or ingesting an ideal edible — to set yourself on a gentle downward trajectory.

If "Kairos" were only a tear-jerker, there might not be much more to say about it. But Erpenbeck, a German writer born in 1967 whose work has come sharply to the attention of English-language readers over the past decade, is among the most sophisticated and powerful novelists we have.

Clinging to the undercarriage of her sentences, like fugitives, are intimations of Germany's politics, history and cultural memory. It's no surprise that she is already bruited as a future Nobelist. Her work has attracted star translators, first Susan Bernofsky and now the poet and critic Michael Hofmann.

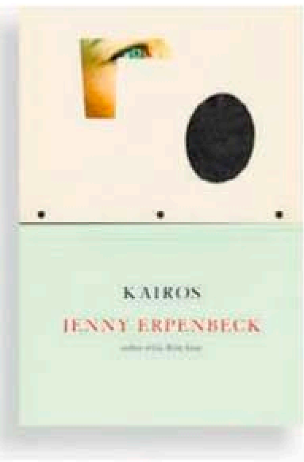
"Kairos" is Erpenbeck's sixth book of fiction issued in English. Her previous novel, "Go, Went, Gone," was published in the United States in 2017. It's about a retired classics professor who becomes embroiled in the fate of African refugees in Germany. I found it powerful but often tendentious.

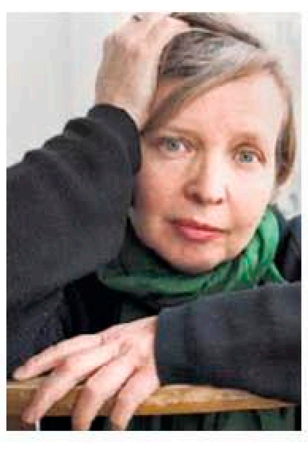
"Kairos" — the title refers to the Greek god of opportunity — is her earthiest novel. It's not just the sex; this is a novel in which pansies are said to resemble Karl Marx and looking inside a stranger's refrigerator is said to be as good as going to the cinema. She is also writing more closely to her own unconscious.

Yet the sex is devastating, and not because it's especially explicit. Early on, Hans and Katherina's lovemaking ("his hands discover that her bottom fits neatly into them, a peach to each") is scored to Mozart's "Requiem," a black disc on his turntable, and the music expands in each of their minds without the moment verging, even for a moment, on the ridiculous.

"Do all the assembled horns, bassoons, clarinets, timpani, trombones, violins, violas, cellos, and organ serve her will?" Erpenbeck asks. They do. This writer is preoccupied with how culture starves humans and how it fills them up, and even more so with what we take from it and what we leave behind.

Hans is old enough to have been, as a boy, in the Hitler Jugend. Katherina, whose life overlaps with Erpenbeck's to a certain degree (both worked in publishing before moving into theater work) is "one of those children who have been through every phase that the Socialist state prepared for them — from the blue neckerchief to training in production and Russian classes, to harvest help in Werder — to make them citizens of the future."





Kairos
By Jenny Erpenbeck. Translated from the German by Michael Hofmann.
294 pages. New Directions. $25.95.

The future that arrives is not the one either expected. When the novel begins, Katharina has never been to the West. Hans suggests to her that freedom tastes a bit like a salade niçoise after all the frankfurters and potatoes back home.

Their sex grows more intense, and more violent. We have been here many times before with the young woman and the older man who wishes to part her from her family, friends and underpants. But Erpenbeck plays it, for the most part, straight.

Their affair is conducted on a psychological plane. It swamps them both. They share a hypnotic, Milan Kundera-like absorption in its permutations. He beats her; she mostly enjoys her submission. She feels her life has met its moment.

Through these scenes the novel's themes play out: chaos and control, freedom and its opposites. He is a serial philanderer. When she cheats on him once, in a minor way, he exacts such sustained revenge that it's like watching a horror movie: The reader mentally pleads for her to flee. It's as if he is sending her to the bottom of the sea.

His surveillance, his total control, take on political ramifications that I won't spoil here. I don't generally read the books I review twice, but this one I did. "Kairos" left me with an itch I needed to scratch, after the absolved and the condemned begin to flow west though the Brandenburg Gate, after all certainties are shattered. About German history, we read, "Whose job is it to go down into the underworld and tell the dead that they died for nothing?"

The book has an intricate frame — thematic planks that didn't fully emerge, for this reader, the first time through. Erpenbeck writes: "A strange trick of paper to become a document. Strange trick of paper to produce deceptions."

This profound and moving book has a subterranean force, and it made me recall lines from the Polish poet Adam Zagajewski's posthumous collection, "True Life," published this year:

> *Civilization has five syllables.*
> *Pain — only one.*

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A GEENA DAVIS INSTITUTE STUDY FOUND SHORTLY AFTER A 2012 FRANCHISE FILM'S RELEASE, WOMEN'S PARTICIPATION IN THIS SPORT ROSE 105%
FOR THE CORRECT RESPONSE, WATCH JEOPARDY! TONIGHT OR LOOK IN THIS SPACE TOMORROW IN THE TIMES.
Yesterday's Response: WHO ARE THE LAKE POETS?
Watch JEOPARDY!
7 p.m. on Channel 7

Succession Thwarted, But a Goal Fulfilled

SARAH SHATZ/HBO

From left: Kieran Culkin, Sarah Snook and Jeremy Strong as three of the Roy siblings in "Succession."

CONTINUED FROM PAGE C1

dressed in a very un-Kendall trucker hat, T-shirt and chain and possessed of some very un-Kendall-like equanimity, joined a video call on Monday to discuss tragedy, vulnerability and sad Kendall memes. These are edited excerpts from the conversation.

Should Kendall have been made the chief executive?

He certainly was equipped. I watched it last night and wanted so desperately for it to unfold differently. Do I think he would have been good for the company and the country? I mean, we've seen him cross every moral and ethical line. He's demonstrated a ruthless pragmatism. He's become what his father wanted, which is being able to dominate and having the moral callousness and flexibility to do whatever it takes. I feel like he's ready to become the C.E.O., in the tragic math of that.

Was his great tragedy being Logan Roy's son? Would it have been better if he had been able to forge his own path?

In a way, that's all of the Roys' tragedies, that they were born into this. Jesse and I created this memory of a moment where my father said, "It will be you one day; you'll have the job that I have." It is like a death sentence to give a 7-year-old that promise. It puts Kendall on this trajectory, never with a sense of having earned it himself.

These characters have all the trappings of power, but nothing in their lives or upbringing installed in them any sense of personal power. If anything, their father and mother took that away from them and left them feeling powerless, which explains this need for Kendall to overcompensate and try too hard and overshoot the mark. He needs this to happen for his life to be OK, or to make any sense. And I found it just unbearably excruciating, the way that it then goes. He's lost his moral compass. He's lost his integrity. He's lost everything. My seven years of working on this have been the slow inexorable death of Kendall Roy.

Is that what the final scene at the edge of the river suggests?

We happened to shoot that scene in Battery Park back in February. I've never been so cold in my life. I couldn't feel anything. I did try and go in the water. We've seen Kendall lose again and again and again, but this feels catastrophic.

I don't think there's any coming back from it. Jesse felt like once he can get past this moment, maybe there is a future for him. I felt a loss of all hope. So I got up and climbed over that barrier and walked out onto the pilings. The actor playing Colin [Kendall's bodyguard, played by Scott Nicholson] ran and stopped me. I don't know if Kendall wanted to die or if he wanted to be saved.

Water has always held such significance for Kendall.

He's always in a place where he might lift off out of it, or he might be submerged and drown in it. He's treading water for his life.

Kendall is the favored son of a very powerful man. Why has he always seen himself as an underdog, an outsider?

I know a lot of people who come from extreme privilege and who have not internalized some commensurate sense of self that you'd think would accompany that. This character has never been comfortable in his own skin. That unease and that lack has been part of his addiction and his ambition.

The finale also included some Barbados-set scenes, which emphasized the bonds and affection among the younger Roy siblings. How did you and the other actors work to feel like a family?

It's just the amount of road we've traveled, 40 hours of story over seven years. The relationship we all have with each other — it's easy to access all sides of it. There's deep love and affection and connectedness and then also, friction and enmity. All of it. I love those people. The writing usually demanded that we meet in a place of discord and enmity, but I loved the times where we got to put our dukes down and enjoy each other's company. That was the last scene we filmed in the whole series, the "meal fit for a king." It was a really wonderful way to finish.

And you drank that "meal fit for a king" smoothie?

Yes, I had to. For me, if I don't drink that smoothie, I am not invested enough in how much Kendall wants to be C.E.O. He has to drink it, ergo I have to drink it, otherwise the whole thing is just a performance. So I would drink it and go outside and retch and jump in the ocean and go back for another take. We only needed to do a few, thankfully.

People often confuse actors with their characters. What were the points of convergence between you and Kendall and which were the differences?

I have had a singularity of wanting similar to Kendall; I've always only wanted to be an actor. I feel pretty strongly that I am a cog built to fit one particular machine: My life only makes sense to me if I'm doing this work. As opposed to Kendall, I've gotten to do that.

But I understood the stakes of what that is for him. I can't really imagine, had I not gotten the chance to practice and do this work, how unlived my life would feel. Kendall is seen as a try-hard. I guess that's become something to judge or deride, but I've always had to try hard and work hard. I think there's value in that, and I wouldn't have known how to do it any other way.

The differences, though, are many. I've got three little kids, and most of my life is just reading "Room on the Broom" and being a dad and a husband and a friend — just an entirely non-Kendall existence.

Kendall quickly became a fan favorite and inspired a torrent of memes — sad Kendall, babygirl Kendall. Did fans misunderstand the character?

I've managed to avoid all that because I'm really not online and I'm not on social media. I see people walking around with tote bags and T-shirts now and it's wild, the way people project all kinds of things onto the character. The character is a bit of a litmus test. Some people use the word "cringe," and then others find him incredibly sympathetic. Do I think any of that's misunderstood? I don't know. There's something about this character, about this kind of boy-man; there is a lot of male vulnerability, which is something that always affected me growing up when I saw it in storytelling. In this moment in our culture, people either respond to that in a derisive way or in an empathic way. It's not my job to tell anyone how to respond to it, but there is something about vulnerability that is polarizing.

'I felt fully expressed through a piece of work.'

JEREMY STRONG ON PLAYING KENDALL ROY IN 'SUCCESSION'

You've said that your goal as an artist is to leave everything on the field. Did you do that here?

Yeah, I did. Yeah. Yeah. Yeah. A friend of mine texted me, saying, you may as well move out to the desert and die.

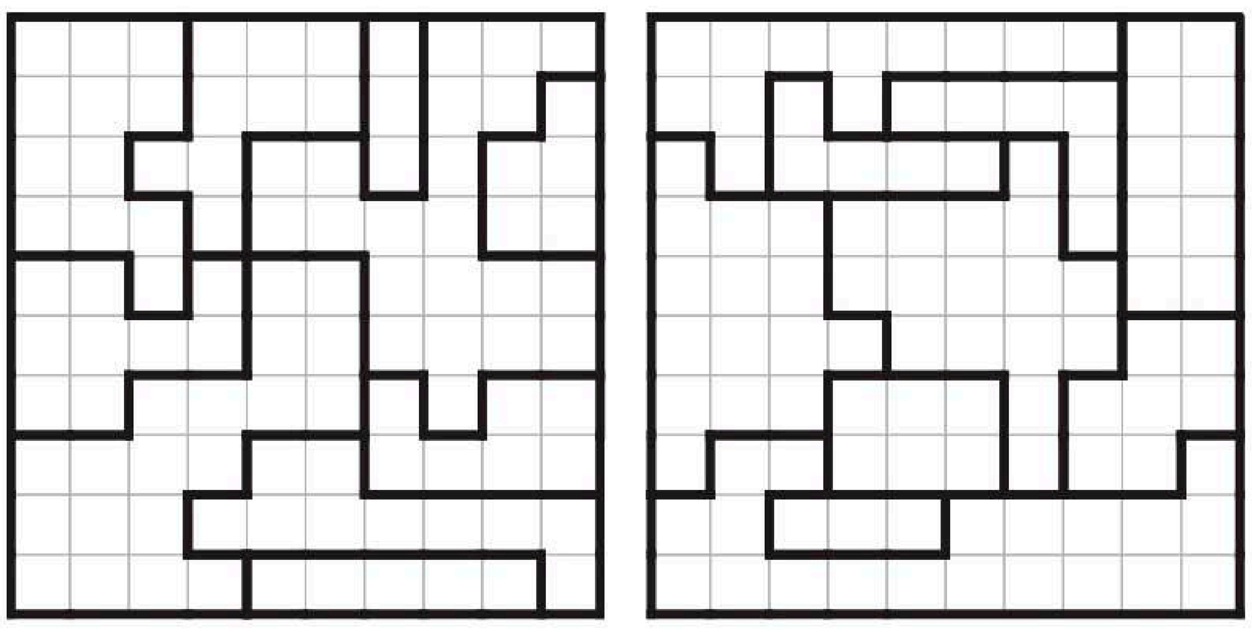
That's a funny way of saying congratulations.

This once in my life and hopefully, many more times — I want to do this until I die — I felt fully expressed through a piece of work.

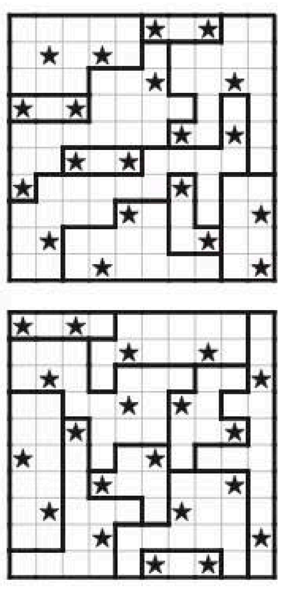
Did you do anything to say goodbye to this character and this world? Any ritual?

This has been obviously a monolithic experience for me in so many ways, as an artist and as a person. I had three children while doing this show. It changed my life in so many ways. The ritual, I guess, was just investing utterly. When it was happening, it was all that mattered in the world for me. When it's over, it's really gone. I gave as much as I could give to this, but I can't hold on to it, I can't possess it. I don't feel like it belongs to me.

Two Not Touch



ANSWERS TO PREVIOUS PUZZLES



Put two stars in each row, column and region of the grid. No two stars may touch, not even diagonally.

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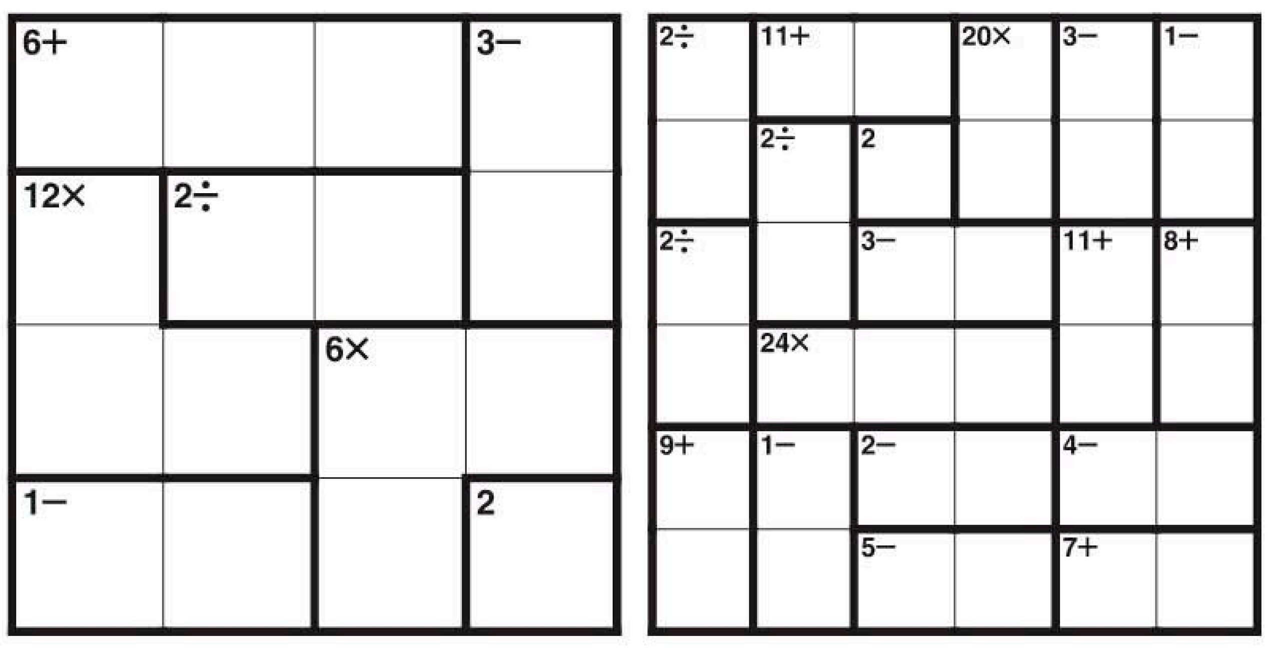
Brain Tickler

What animal with a forelimb is an anagram of FORELIMB + T and W?

PUZZLE BY WILL SHORTZ

YESTERDAY'S ANSWER El Al, the national airline of Israel, serves only kosher food and does not fly on the Jewish sabbath.

KenKen



ANSWERS TO PREVIOUS PUZZLES

4	1	3	2
3	2	4	1
2	4	1	3
1	3	2	4

2	4	1	3	6	5
3	6	2	1	5	4
1	2	4	5	3	6
6	3	5	2	4	1
4	5	3	6	1	2
5	1	6	4	2	3

Fill the grid with digits so as not to repeat a digit in any row or column, and so that the digits within each heavily outlined box will produce the target number shown, by using addition, subtraction, multiplication or division, as indicated in the box. A 4x4 grid will use the digits 1-4. A 6x6 grid will use 1-6.

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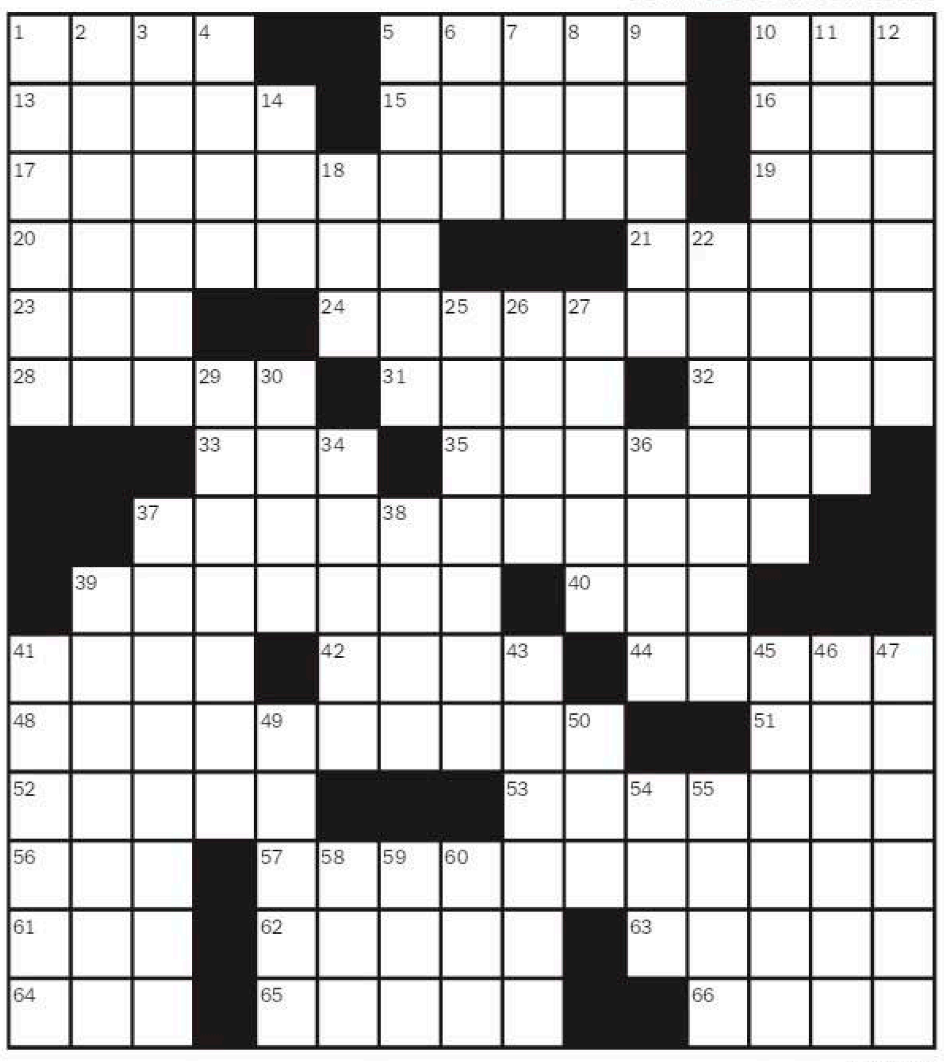
Crossword | Edited by Will Shortz

PUZZLE BY BRANDON KOPPY



5/31/23

ACROSS

1 [Wait until you're home to click this!]
5 In which pictures of a bill + gates = a noted business executive
10 "Quiet!"
13 Shopify specialty
15 Simply be
16 Sweetheart
17 Longtime host of CNN's "The Situation Room"
19 One ___ time
20 ___ Janney, Oscar winner for "I, Tonya"
21 More up to the task
23 What the "R" of AARP stands for: Abbr.
24 11-time P.G.A. Tour Player of the Year
28 Widely recognized
31 Ephron who directed "Sleepless in Seattle"
32 Walk or trot
33 Highball clinkers
35 Grammy-winning singer St. ___
37 Rap group with the classic 1986 album "Licensed to Ill" ... or a description of 17-, 24-, 48- and 57-Across?
39 Chamber member
40 Start of a rodeo cry
41 Toss in a chip, say
42 Speedy horse breed
44 Critical times
48 The man in "Man vs. Wild"
51 President pro ___
52 "Midnight Cowboy" nickname
53 Give the right
56 Small thing to pluck
57 Wild West showman who lent his name to an N.F.L. team
61 Sherlock Holmes and Veronica Mars, for short
62 Up to now
63 Series opener
64 Boom sticks
65 Acquires
66 Tools with teeth

DOWN

1 Airport serving New York's tristate area
2 Pinched
3 Be defeated by
4 Coffee shop freebie
5 Bring under control
6 No. after a phone number
7 Industry, briefly
8 Single-___ plastics (environmental concern)
9 This sucks!
10 Help for mom-and-pop shops, in brief
11 Terse one-star review
12 Newspaper tycoon who inspired "Citizen Kane"
14 Dumbbell figs.
18 Biblical figure with an unnamed wife
22 Came in just over par
25 Explode on the internet
26 Spooky-sounding lake
27 Shared with for feedback
29 They're roasted at a roast
30 Final Four inits.
34 Spanish 101 infinitive
36 Like most rec leagues
37 Check for bugs
38 Conservative
39 Return after curfew, say
41 Brusque
43 Calls from a pasture
45 Fifth-century conqueror
46 Like lemons, but not oranges
47 Gets the lead out?
49 It's packed for a quick getaway
50 Tina Fey was its first female head writer, in brief
54 One-up
55 Sacred bird of ancient Egypt
58 Winningest team in the Women's World Cup
59 Post-it note abbr.
60 Bog

ANSWER TO PREVIOUS PUZZLE

L	I	T	E	R	A	L			A	C	A	C	I	A
A	C	H	I	E	V	E		P	R	O	B	I	N	G
B	E	A	G	L	E	S		E	M	B	A	R	G	O
		T	H	Y			C	A	L			R	O	N
G	I	S	T		F	R	A	T	E	R	N	I	T	Y
A	M	A			A	U	G		T	A	O			
M	A	L	A	R	K	E	Y			D	I	L	L	S
U	N	I	F	I	E	D		S	T	A	R	E	A	T
T	I	E	O	N			L	A	W	R	E	N	C	E
			U	G	H		A	N	I			T	E	A
B	A	L	L	O	O	N	I	S	T		B	A	S	K
A	L	E			R	E	D			E	I	N		
L	I	M	E	A	D	E		R	E	G	R	E	T	S
S	C	O	W	L	E	D		I	N	A	D	A	Z	E
A	E	N	E	A	S			M	E	N	S	R	E	A

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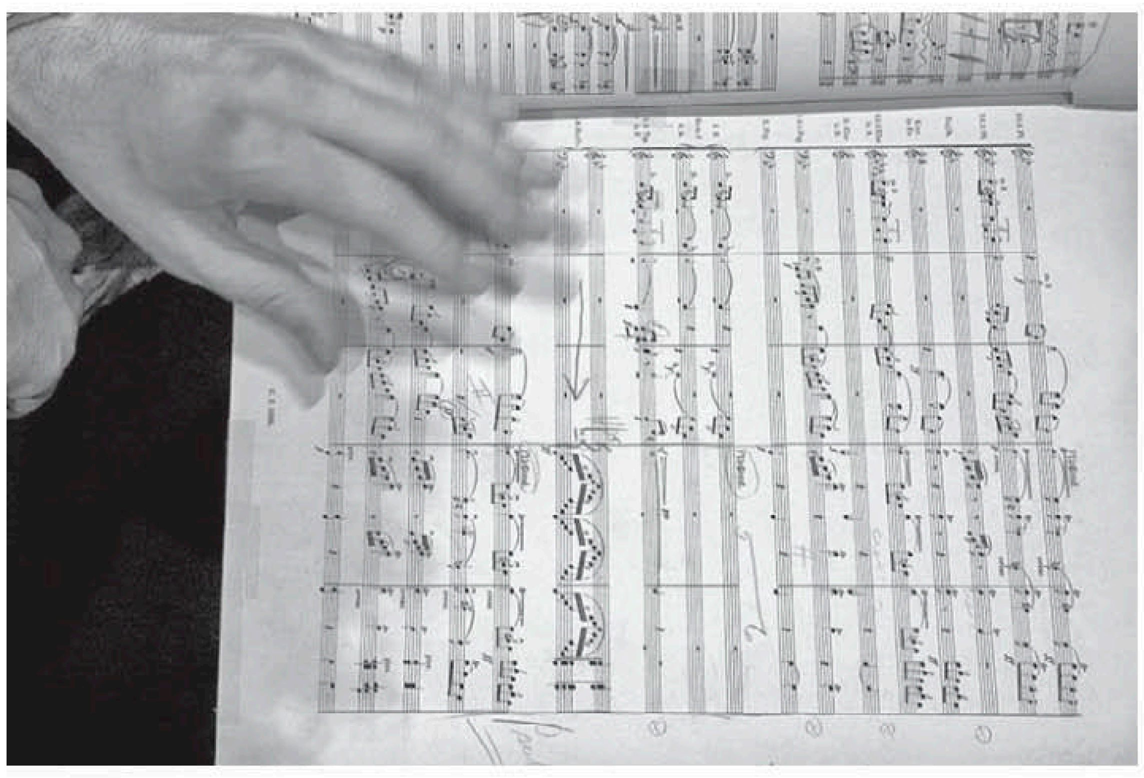
Gustavo Dudamel is known for his bouncy curls and fiery baton.

At a rehearsal, Dudamel offered a mantra for his tenure: "We will have a lot of fun."

The ensemble was warmly received.

Discussing the timing of a rehearsal break with the Philharmonic's artistic team.



Dudamel examining a Mahler score that once belonged to Leonard Bernstein.

The violinist Ellen dePasquale, a substitute musician, warming up backstage.

Hugs and Mahler For Dudamel

CONTINUED FROM PAGE C1

to 1911. "This was Mahler's orchestra," he said, noting Mahler's ties to New York when he wrote it. "Even if they are not the same musicians, they have that heritage of Mahler."

While Dudamel does not take the podium in New York until 2026, his five days with the Philharmonic this month, for rehearsals and performances of the Mahler, were an unofficial start. They came at a moment of transition for him in more ways then one: A week later, he would announce that he was resigning as music director of the Paris Opera. But New York felt like a new beginning, and as he got to know the orchestra and the city, he offered a mantra for his tenure: "We will have a lot of fun."

There were champagne toasts and rites of passage. In his dressing room, Dudamel examined a Mahler score that once belonged to Leonard Bernstein, a predecessor and noted Mahlerian. There were hours of intense rehearsals, during which Dudamel urged the players to embrace Mahler's operatic impulses and his varied style.

"It's not bipolar, it's tripolar," he said of one passage. "This is Freud. A new character — a new spectrum of humanity."

When Dudamel and the orchestra got back to Geffen Hall for the final rehearsals and performances, there were some surprises.

After a spectral whirring sound surfaced during an open rehearsal, he turned to the audience. "Maybe it's Mahler," he said.

Throughout his visit, Dudamel was greeted as a rock star, with musicians lining up for selfies and hugs.

"You're part of my family," Cynthia Phelps, the principal violist, told him at a reception. "Welcome."

Dudamel thanked the musicians, saying he never imagined he would one day lead one of the world's top orchestras.

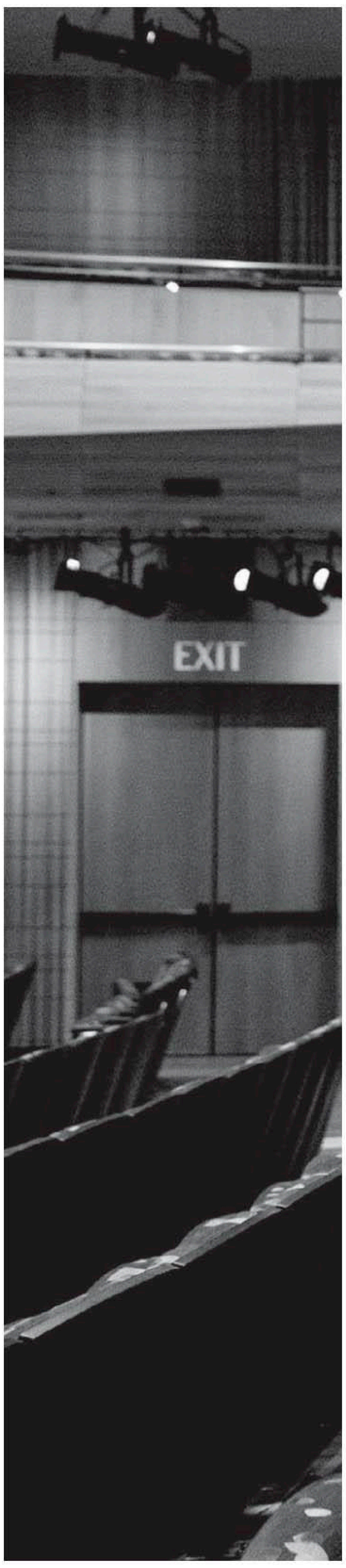
"To arrive here, to achieve this connection with you, is for me a prize of life," he said. "We will develop this love, this connection."

At the opening concert, Dudamel was nervous. As is his custom, he conducted the symphony, one of the repertory's most sweeping and profound works, from memory. At the end of the piece, Dudamel abstained from solo bows, gesturing instead to highlight the contributions of the members of the orchestra.

Backstage, an aide handed Dudamel a glass of Scotch.

"My God," he said. "What a journey."

Photographs by JAMES ESTRIN/ The New York Times



Dudamel's appearances were highly anticipated by fans. All three concerts sold out.

Before walking onstage for his first concert at the newly renovated Geffen Hall.

Dudamel abstained from solo bows, gesturing instead to highlight the contributions of the members of the orchestra.

Dudamel with Deborah Borda, the Philharmonic's president and chief executive.

Dudamel, in the background, grabbing coffee in his dressing room during a break.

While the New York Philharmonic rehearsed Mahler, Dudamel briefly stood in the center of David Geffen Hall to assess the space's acoustics.

Dudamel in his dressing room. "To arrive here, to achieve this connection with you, is for me a prize of life," he told musicians.

A Magic Midair Moment on a New Court

Students help turn a poem about a balletic N.B.A. layup into music and dance.

By SETH COLTER WALLS

PHILADELPHIA — Pleasant spring weather warmed the grounds of Girard College here on a recent afternoon. But even as classes were letting out for the weekend, some high school students at this boarding school had a few hours of work ahead of them.

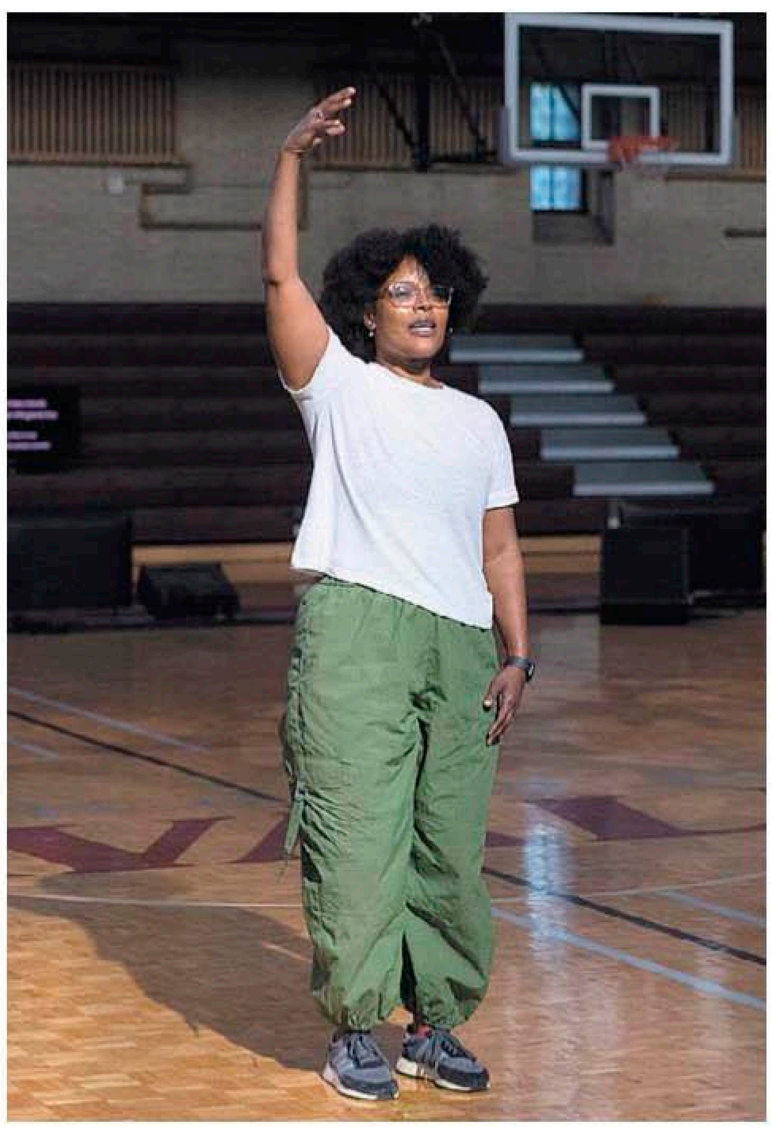
Inside the gymnasium of the school, which is devoted to children from single- and zero-parent homes who come from underserved communities, five teenagers began to gather around the bleachers.

Nearby, in the middle of the basketball court, the contemporary classical group Yarn/Wire commenced a soundcheck while, off to the side, the director Brooke O'Harra consulted with a theater-tech team that was supervising audio amplification and video projections. But she quickly broke away to welcome the students as they entered. A few minutes later the composer Tyshawn Sorey conferred with the instrumentalists.

They had all gathered for one of the final rehearsals of their years-in-development, multimedia adaptation of Ross Gay's book-length poem "Be Holding," which premieres on Wednesday at the gym — featuring movement, music and work behind the scenes by the school's students.

Gay's text is nominally about a balletic, baseline scoop shot from the 1980 N.B.A. finals, as improvised and executed by Philadelphia 76ers star Julius Erving (known as Dr. J); but it is also about the legacy of Black genius off the court and about notions of community, or its faltering absence, in the United States.

PHOTOGRAPHS BY RACHEL WISNIEWSKI FOR THE NEW YORK TIMES



Adeshina Tejan, 16, a Girard sophomore who contributes movement to the production, praised Gay's poetry, saying he relished "the way he's able to jump from topic to topic. But you still feel the sense that he's still talking about 'the shot,' even when he's talking about different situations."

The 18-year-old senior Jaelyn Handy, who contributes movement as well as chiming tubular bell playing alongside members of Yarn/Wire, cited a passage having little to do with basketball as one of her favorites. "The part in the poem where he's describing a picture — and it's a picture of a girl, and the girl is falling with her godmother," she said. "That hits home because of the detail that's given. And the background information of photographing Black pain: That was deep!"

After the show's performances this week, it could run elsewhere, including New York. If that happens, Gay might also participate in the recitation of his poem. In Philadelphia, the production will engage the talents of the local poets Yolanda Wisher and David A. Gaines as primary speakers and movement artists.

As the rehearsal gave way to a run-through around 8 p.m., Wisher and Gaines handed off selections of the text to perform as spoken-word solos; at other junctures, they echoed each other or enunciated identical phrases in phasing patterns. At moments, the student collaborators mimed basketball scoop shots as an ensemble of dancers; at others, they contributed cascading individual vocalizations that echoed the lines read by the adult performers.

During a dinner break, Wisher — a longtime friend of Gay's — said that the poem's imagery of Dr. J's athletic feat worked well

Tyshawn Sorey, top right, wrote the music for "Be Holding," a production based on the Ross Gay poem about a famous basketball shot. The pianist Laura Barger, top left, co-founded the ensemble Yarn/Wire, which will perform. The show's director, Brooke O'Harra, above left, spoke with Girard College students taking part in the show in the school's gym. The poet Yolanda Wisher, above right, mimicked the palming of a basketball in rehearsal.

as a visual element in the production but that the show didn't rely solely on that imagistic coup for its drama.

"There's something about that poem on the page that is still superpowerful when you read from start to finish," Wisher said. "He's switching times: You're going from the Middle Passage to a Dr. J clip. How to communicate that sonically, rather than cinematically, I think, is what's happening here."

While finishing up a burger, she added: "A lot of times we're working against the music, rather than trying to be floating on top of it — which sometimes is a lot of what poets and spoken-word artists do."

In the piece, Yarn/Wire's two pianists and two percussionists interpret what Sorey calls a "living score": stretches of written-out material that can be juggled or adapted at will. After Friday's rehearsal, Russell Greenberg from the group wrote in an email: "In 'new music' we are used to fully notated scores or instructions (this being related to CONTROL). But I've come to think about the music in this piece as an 'energy map': of different builds; densities; ebb and flow; tonal/chromatic; metal/wood; extended/traditional, etc. They all work together to push and pull against the text."

Sorey's music here revels in a dreamy consonance during Gay's first extended description of Dr. J's drive to the basket. But as the poem explores tangential ideas and metaphoric asides, Sorey's score trends chromatic — while making use of Yarn/Wire's facility with the experimental techniques that Greenberg mentioned in his email. Later, there is a return to the opening's beatific energy while the text of "Be Holding" lands on its expanded conception of communal joy.

In a phone interview, Sorey congratulated Yarn/Wire for its ability to break down his personal language of conducted improvisations, known as Autoschediasms, and to apply it to this new "quote-unquote score," to the point where he doesn't even need to conduct the music.

He said that the involvement of Girard students "makes the poem even more powerful, when they do the movements and when they get involved in some of the conversational parts of the poem."

"It amplifies the positive spirit that it has; it gives it a different character," Sorey added. "I think if it was just the poetry and the music, it might not affect me in the same way."

O'Harra said that her vision for Gay's poem "starts out really kind of simple: We're in a gym; there's a person speaking," then marshaled an unusual blend of elements. (Itohan Edoloyi designed the lighting. Matthew Deinhart and the artist known as Catching on Thieves co-designed the video; Eugene Lew is the sound designer.)

"You think almost mathematically" about all those layers, O'Harra said. "And then something nails you, and you wanna cry. Or you feel really moved. That's what I love."

About DNA, Discovery and Giving a Scientist Her Due

The making of a musical about Rosalind Franklin was a tricky challenge.

By LAUREN ROSENFIELD

During the summer of 2020, the composer and lyricist Madeline Myers spent hours at the piano in her Manhattan apartment as she struggled to write three songs for her new musical, "Double Helix," about the British chemist Rosalind Franklin. The challenge wasn't strictly about marrying words to a score, but conveying the science of a crucial moment in the discovery of DNA's structure — and making the songs entertaining.

Franklin's experiments, in which she successfully used X-ray crystallography to create images of DNA, became the basis for James Watson and Francis Crick's groundbreaking 1953 discovery of the double helix structure. The breakthrough underpins our modern understanding of genetics and biology, but for years Franklin received no credit. (She died of cancer in 1958 at the age of 37; her male colleagues were later awarded the Nobel Prize.)

Fast forward to a recent afternoon, when Myers and the show's director, Scott Schwartz, were in a rehearsal room high above 42nd Street facing a new hurdle: how to stage those science-focused songs, including one number fittingly called "The Problem." In this scene, six actors are in a lab using an X-ray crystallography machine to try to capture an image of DNA. As they turned their focus from a makeshift cardboard contraption to a screen positioned upstage, Schwartz called out: "We're suspending reality in making the photograph immediately show up on the projection screen."

They were just weeks away from the first previews of "Double Helix," which began on Tuesday at Bay Street Theater in Sag Harbor, N.Y. And though a certain level of make-believe is intrinsic to theater, getting this illusion right was especially tricky: Myers and Schwartz are trying to balance history and science with an emotional and multidimensional portrait of Franklin, who attacked her work with zealous dedication while being subjected to misogyny and antisemitism.

While Myers knew "the play should not be about science," she was committed to science being "the vehicle for this story." That was Franklin's worldview, after all. "There were dramatic liberties I could take with the history, but I just felt like I could not fudge the science."

Yet she also needed "the science to be simple because what we're trying to show is the emotional conflict," she added, "and all the power dynamics and the gender dynamics."

The production team enlisted advisers, including Sonya Hanson, a research scientist at the Center for Computational Biology, to provide feedback on the script and the staging.

"They're doing a lot of work really incorporating the lab environment into the set," Hanson said. Which is important, she explained, because "Rosalind was an amazing experimentalist" and any portrait of her life should make that clear.

LENNY STUCKER

Ethan Yaheen-Moy Chan and Samantha Massell in the new musical "Double Helix," which brings mid-20th-century history to the stage.

Although Franklin (portrayed onstage by Samantha Massell, who played Hodel in the 2015 Broadway revival of "Fiddler on the Roof") was involved in the race to discover the structure of DNA, she was the only scientist not to write her own version of the story. "All of these accounts of what happened are certainly filtered through the biases that these people had," Myers said. "And the only voice that we really just don't hear from is Rosalind's."

Myers began reading about the scientist in 2018, and felt an immediate kinship. "We're both women. We're both Jews. We're both about the same age," she said. But the biggest connection "was the way she felt about her work as a scientist was how I felt about my own work as a musical dramatist."

This isn't Myers's first experience with bringing history to the stage. She was an original member of the "Hamilton" music department, and witnessed Lin-Manuel Miranda's approach to creating an "arresting and moving" show about a historical figure, Myers explained. So when she started writing "Double Helix," she wanted to ensure "the emotional stakes were greater than the actual historical stakes."

A central question: "Is life definable as biological matter or is life what we live and what we experience? And is Rosalind Franklin sacrificing what we live and what we experience in order to find that biological matter?" To heighten the choices that Franklin has to make in the musical, Myers turned what might have been, in real life, just a crush on the scientist, Jacques Mering, into a relationship. Franklin then has to choose whether to prioritize the relationship or her work.

Schwartz, Bay Street Theater's artistic director, said he was drawn to the project for its potential to fill in the blanks of Franklin's inner world. "That's what musicals are for," he said. To use songs "to crack open the psychology of a character."

As for Franklin's scientific snub, Myers isn't looking for the audience to be "up in arms." Instead, she wants people to leave the theater thinking: "What are the two strands in my own life that are competing for my time?" she said. "That is what the play is about. It's about how we use our time not knowing how much of it that we have."

3 NOSE KNOWS

Grilled chicken smells right for summer. BY GENEVIEVE KO

3 FRONT BURNER

Ice cream takes a creative turn. BY FLORENCE FABRICANT

5 RESTAURANTS

Peking duck at Juqi passes all the tests. BY PETE WELLS

5 WHERE TO EAT

Looking to find family-style dining. BY NIKITA RICHARDSON

Food

The New York Times

WEDNESDAY, MAY 31, 2023 D1

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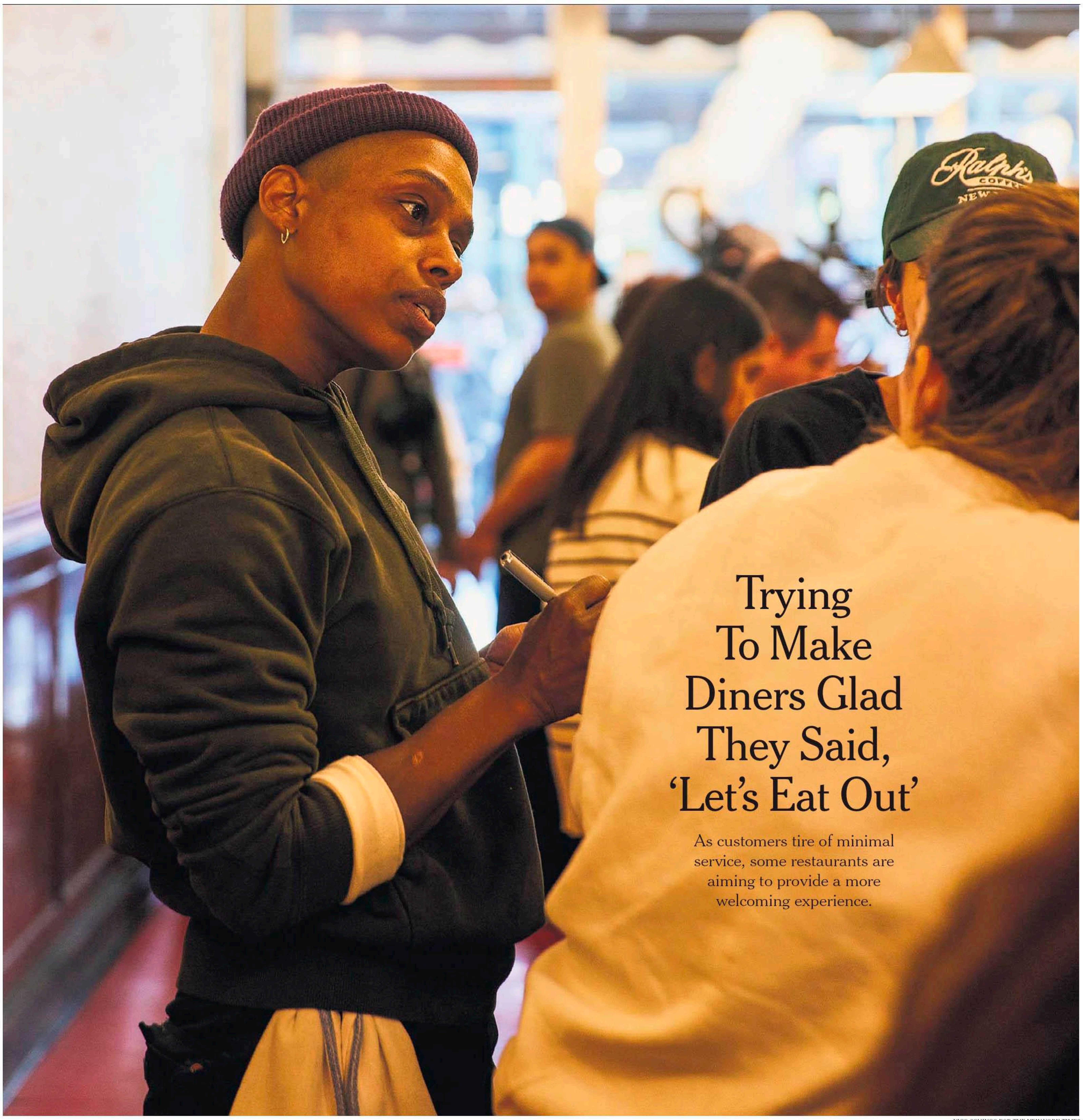


Trying To Make Diners Glad They Said, 'Let's Eat Out'

As customers tire of minimal service, some restaurants are aiming to provide a more welcoming experience.

NICO SCHINCO FOR THE NEW YORK TIMES

Service is relaxed and personal at S & P Lunch on lower Fifth Avenue in Manhattan, a tight space where close interaction between the staff and customers is almost inevitable.

By KIM SEVERSON

The Marte family took a risk the other night. They went out to eat.

The last time they'd gone out, things quickly unraveled. The queso arrived but the tortilla chips didn't. Servers delivered enchiladas they didn't order. When the family complained, their waiter shrugged.

The bill came to more than $50, before tip — a lot for working parents with two young children.

"For us, that's why takeout is usually the better option," Jessica Marte said as she settled into a booth at a Chili's Grill & Bar in a suburb north of Atlanta. "The food is not the problem. Most of the time it's the service."

The patience that customers have extended to restaurants over the last few years is wearing thin, especially as menu prices climb and experienced workers are harder to find. A plaintive cry is rising from America's dining rooms: Can we get some service around here?

And not just any service. Diners say they crave a night out free from QR codes, waiters who don't seem to care and menus designed to glorify the chef and attract influencers. They want to feel like welcome guests again, wrapped in the kind of warm, competent hospitality they fantasized about while the pandemic took it all away.

Some restaurant owners, even as they struggle to train a new generation of waiters, hosts and cooks, say they're looking for ways to restore and even improve that essential piece of the experience. They're retiring robot waiters, making dining rooms cozier and giving servers and bartenders more time to spend with customers.

"We gave restaurants a pass for many, many months, and I think we are at a place where people really miss the human touch and the little details," said Ed Lee, a chef and

CONTINUED ON PAGE D6

CHRISTOPHER TESTANI FOR THE NEW YORK TIMES. FOOD STYLIST: SIMON ANDREWS.

Find Their Sweet Spot

Celebrate the season of strawberries with desserts that won't get soggy. By Melissa Clark, Page 2.

For a Chile Con Queso Like No Other

Chope's Town Bar & Cafe guards a generational recipe.

By MAGGIE HENNESSY

LA MESA, N.M. — The chile con queso you know best may be a jar of tomato- and chile-flecked processed cheese. But it can also be a thing of unparalleled beauty, a deliciously messy, fiery, thin salsa capped with cheese meant to be pinched with fresh tortillas.

You may not learn about this version until you visit southern New Mexico — home to the long green Hatch chiles — and start asking around about where to eat.

"Have you been to Chope's?" the locals say. "You gotta try their chile con queso."

Located in the small farming community of La Mesa, N.M., about 20 miles south of Las Cruces, the state's second-largest city, Chope's Town Bar & Cafe comprises two buildings on a gravel lot along Highway 28: a 19th-century adobe home turned restaurant, which opened in 1909, and a whitewashed bar that opened 40 years later.

CHRIST CHAVEZ FOR THE NEW YORK TIMES

The signature chile con queso at Chope's in La Mesa, a small town in southern New Mexico.

Inside the bar, families, farmers and leather-clad bikers chat over the jukebox, which plays a mix of '80s rock and thumping reggaeton. The chile con queso is deceptively monochromatic, a white bowl filled with melted white Cheddar and served alongside warm, foil-wrapped flour torti-

CONTINUED ON PAGE D4

MELISSA CLARK | A GOOD APPETITE

Ways to Make Strawberries Even Tastier

In these recipes, juices are condensed before baking.

LAST WINTER WAS a terrible time to be a strawberry in California — and maybe an even worse time to be a strawberry farmer.

At Harry's Berries in Oxnard, Calif., the rain came down so hard it flattened acres of strawberry beds "like pancakes," said the operations manager, Kristopher Gean, whose grandfather Harry Iwamoto started the farm more than 50 years ago. Each bed had to be dug up by hand, costing the farm more than $100,000 in labor.

Even then, the berries that survived to make it to market were bloated, insipid and expensive. "Everyone on Instagram was complaining, 'These berries don't taste that good,'" Mr. Gean said. "And they were right."

From January to March, bad weather and bland berries were the rule for farmers across California, who grow about 85 percent of the commercial strawberries in the United States. And the devastated crops, with their low yields, astronomically drove up prices for any berries you could find.

Things have finally turned around: California berries are back on the market, sweet as ever, and at a more reasonable cost. Strawberries from other regions are also becoming available as the weather warms, making their scarlet way into farmers' markets and supermarkets across the country.

And what better way to celebrate their return than with a berry-laden dessert?

While many strawberry-filled baked goods get a little soggy from the raw berries weeping moisture into the crumb or crust, these three new recipes are different. They treat the berries before baking — simmering, roasting or macerating them — to condense their juices and allow them to hold up better in pastries and cakes.

This elegant, flaky tart simmers the strawberries briefly in a sugar syrup until they glisten like rubies. Then, they're arranged on top of a tangy cream cheese mixture spread on a sheet of puff pastry. The tart emerges from the oven with a crisp, buttery crust that stays that way for hours, perfect for making ahead.

Macerating the berries in sugar before baking them into biscuits prevents them from becoming gummy. Then, you can sandwich those biscuits around more macerated berries and whipped cream for the fruitiest, juiciest double strawberry shortcakes imaginable, with poppy seeds for extra crunch.

Last but not least, in these tender almond cakes, rich with browned butter, the berries are briefly roasted before being mixed into the batter, for an intense flavor and caramelized juices that lend a jammy vividness.

These techniques will help any berries show their best, and they're also great to keep in your back pocket for next winter, in case bad weather and bland berries return.

But right now, this year's berries are ripe and ready for all your baking and beyond.

STRAWBERRY ALMOND CAKES

TIME: 1 HOUR 20 MINUTES
YIELD: 12 CAKES

- 7 ounces/200 grams fresh strawberries, cut into ½-inch chunks (about 1½ cups)
- 1 tablespoon granulated sugar, plus more for the pan
- ¾ cup/170 grams unsalted butter, plus more for the pan
- 2 cups/230 grams confectioners' sugar
- 1 cup/100 grams almond flour
- ¾ cup/90 grams all-purpose flour
- ¾ teaspoon fine sea or table salt
- 5 large egg whites
- 1 tablespoon vanilla extract

1. Heat oven to 400 degrees. In a small bowl, mix strawberries with 1 tablespoon of granulated sugar and transfer to a parchment-lined baking sheet. Roast until the strawberries have released a bit of juice and are just tender, 10 to 15 minutes. Set aside to cool.

2. In a small saucepan, melt butter, letting it cook until it turns nut brown and smells toasted, about 5 minutes. Pour into a heatproof bowl and let cool. (Do not scrape up any black bits from the bottom of the pot.)

3. Meanwhile, in a large bowl, combine sugar, almond flour, all-purpose flour and salt. Using an electric mixer fitted with the whisk attachment and set on low speed (or use a whisk and a strong arm), beat in egg whites until the flour mixture is damp. Add butter and beat on medium-high speed (or vigorously by hand) until very smooth, about 2 minutes. Beat in vanilla. At this point, the batter can be used immediately or refrigerated for up to 4 days without the strawberries.

4. Right before baking, drain the roasted strawberries from their liquid and blot on a paper towel or clean cloth. Fold the roasted strawberries into the batter. (You may have about 1 to 2 tablespoons of strawberry syrup left to add to yogurt or seltzer.)

5. Butter 12 (½-cup) muffin cups and coat all over with a little granulated sugar. Divide batter across the cups, and bake until financiers are golden brown and the tops spring back when lightly pressed, 15 to 25 minutes. Cool on a wire rack before unmolding.

STRAWBERRY CREAM CHEESE TART

TIME: 1 HOUR 15 MINUTES
YIELD: 6 TO 8 SERVINGS

For the Berries:

- 1½ pounds fresh strawberries, trimmed and halved or quartered if very large
- ¼ cup/50 grams granulated sugar
- ¼ teaspoon fine sea or table salt

For the Tart:

- ½ cup/4 ounces cream cheese, softened
- 1 egg yolk
- 1 tablespoon granulated sugar
- 1 tablespoon fresh lemon juice
- ¾ teaspoon finely grated lemon zest
- 1 teaspoon vanilla extract
- ⅛ teaspoon fine sea or table salt
- All-purpose flour, for rolling
- 1 (14- to 18-ounce) package puff pastry, preferably all-butter, thawed if frozen but still cold

1. Heat oven to 425 degrees. In a medium saucepan, combine strawberries, sugar and salt. Let mixture sit for 20 minutes, tossing once or twice, until the berries get a little juicy. Turn the heat to medium and cook, stirring occasionally, until they are just beginning to soften and the sugar dissolves, about 5 minutes.

2. Using a slotted spoon, transfer berries to a plate to cool. Bring the syrup back to a simmer and let it cook until it reduces by half, 3 to 7 minutes.

3. In a medium bowl, use a fork or a wooden spoon to mash together the cream cheese, egg yolk, sugar, lemon juice and zest, vanilla and salt until smooth. (It's OK if there are a few small lumps of cream cheese.)

4. On a lightly floured surface, roll puff pastry into a 13-by-11-inch rectangle about ⅛-inch thick. Transfer the dough to a parchment-lined baking pan. With a sharp knife, score a 1-inch border along the edges of the puff pastry (don't cut all the way through).

5. Spread the cream cheese mixture evenly inside the scored border. Arrange the strawberries on top in a single layer. (If they don't all fit nicely, save the remaining berries for snacking.)

6. Bake until the pastry is puffed and golden, 22 to 30 minutes. Transfer pan to a wire rack to cool for at least 20 minutes or up to 8 hours before serving. Right before serving, gently brush some of the reduced syrup over the fruit and crust to add shine and more strawberry flavor. If you like, you can serve the remaining syrup as a sauce drizzled on top of the tart, or save it to use in seltzer or serve over yogurt or ice cream.

PHOTOGRAPHS BY CHRISTOPHER TESTANI FOR THE NEW YORK TIMES. FOOD STYLIST: SIMON ANDREWS.

DOUBLE STRAWBERRY SHORTCAKES

TIME: 1 HOUR 15 MINUTES, PLUS AT LEAST 1½ HOURS' RESTING
YIELD: 6 SHORTCAKES

For the Shortcakes:

- 4 ounces/1 cup fresh strawberries, trimmed and sliced ¼-inch thick
- 4 tablespoons/50 grams granulated sugar
- 1¾ cups/230 grams all-purpose flour
- 1 tablespoon plus 2 teaspoons baking powder
- 1 tablespoon poppy seeds, plus more for topping
- ½ cup/113 grams unsalted butter, cubed
- Buttermilk, as needed

For serving:

- 8 ounces/2 cups fresh strawberries, trimmed and sliced
- 1 to 2 tablespoons granulated sugar
- Whipped cream

1. In a small bowl, macerate the berries: Gently toss the strawberries with 1 tablespoon sugar and set aside for 30 minutes or until the berries are juicy and bright red.

2. In a large bowl, whisk together flour, remaining 3 tablespoons granulated sugar, baking powder and poppy seeds. Add butter. Using a pastry cutter or your fingers, work the butter into the flour until the mixture is mealy with pea-size butter pieces. While the strawberries macerate, put the flour and butter mixture in the freezer to chill.

3. After the strawberries have released their liquid, use a slotted spoon to carefully transfer them to a clean kitchen towel or paper towel, and dab off any excess liquid. Pour strawberry liquid into a measuring cup and add enough buttermilk to make ⅓ cup.

4. Add the drained strawberries to the chilled flour mixture and toss with your fingers or a fork to incorporate.

5. Pour in buttermilk mixture and gently toss until the dough is evenly damp and shaggy, being careful not to overmix. Turn the shaggy dough onto a piece of plastic wrap and pat it into a rough 5-by-4-inch rectangle that's 1½ inches tall (it will look small, but will rise a lot in the oven). Cut through the dough into 6 even pieces but don't separate the shortcakes. (This makes them easier to store.) Wrap well with plastic and place in the freezer for at least 45 minutes and up to 2 weeks.

6. Heat the oven to 425 degrees. Line a sheet pan with parchment paper.

7. Remove dough from the freezer. Use a knife to separate the shortcakes (you may have to cut all the way through the dough again) and place on a lined baking tray at least 1½ inches apart. Brush tops with buttermilk and sprinkle with more poppy seeds.

8. Put the shortcakes in the oven and immediately reduce the oven temperature to 400 degrees. Bake for 22 to 30 minutes until the shortcakes are golden brown on the tops and bottoms. Transfer to a rack to cool.

9. To serve, in a medium bowl, toss together berries and sugar and let macerate for at least 15 minutes and up to 4 hours (store in the fridge if keeping longer than an hour). Halve the shortcakes crosswise, and fill with whipped cream and syrupy berries.

Front Burner

FLORENCE FABRICANT

TO DISCOVER

Colombian Mango Makes U.S. Debut

Among the hundreds of mango varieties grown throughout the tropics, there is one from Colombia that is making its debut in the United States. Called a Sugar Baby mango, it is about three inches long with blushing deep gold edible skin and is suitable for munching out of your hand as you might a plum or a peach. Like other mangoes, it does have an annoying pit center stage; the best way to slice it is vertically, as close to the pit as can be managed. These mangoes, a variety called mango de azucar, are grown in several countries — mostly in the Caribbean by Goldenberry Farms, which also exports them. The company had trademarked the name Sweet Sugar Mango: *Sweet Sugar Mangoes, $11.99 per pound, Butterfield Market, 1150 Madison Avenue (85th Street), 1114 Lexington Avenue (78th Street), butterfieldmarket.com.*

TO SIP

Meyer Lemon Aperitif Gets a Cucumber Hint

▼ Le Moné, the New York company that makes a line of Meyer lemon-based aperitifs, has introduced a new one for summer: Meyer lemon and cucumber. It doesn't take a professional behind the bar to figure out what to do with this lively, lemony, cucumber-accented spirit. For an easy warm-weather "cumbertini," combine it with a gin like the cucumber-y Hendrick's, one part to three or four; or serve it with tonic, as the Portuguese do with white port: *Le Moné Meyer Lemon Apéritif With Cucumber, $35, drinklemone.com.*

TO INDULGE

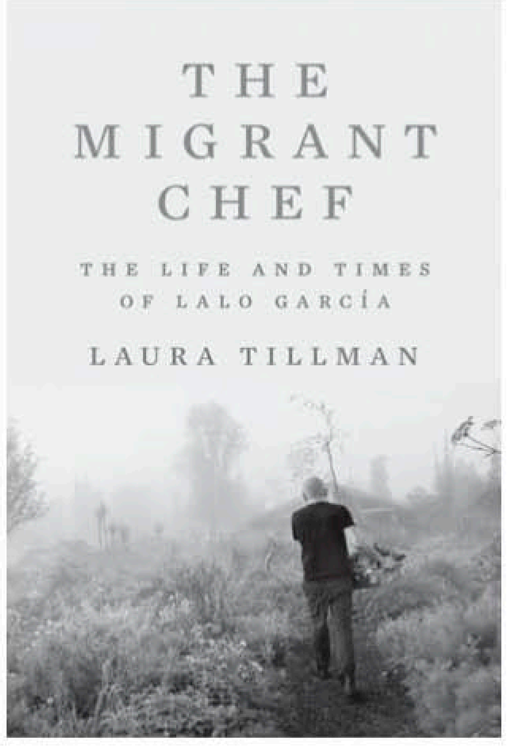
A Pileup of Flavors On the Upper East Side

▲ This week, the Carnegie Hill section of the Upper East Side is being treated to a new scoop shop. In the space that housed Noglu, the gluten-free bakery imported from Paris by Eli Zabar now a few doors south, Mr. Zabar's son Sasha is opening Glace (French for ice cream) on Friday. Its roster of inventive flavors is all gluten-free, including when cones and cookie bits are involved. The bright shop — trimmed in pink, with some seating indoors and more outside — will offer a rotating menu that includes vanilla, Sicilian pistachio, banoffee, cold brew, matcha and, based on the Good Humor pop, toasted almond. Raspberry and orange creamsicle soft serve will be dispensed; sorbets will include yuzu, grapefruit and pineapple; and cold refreshers like a yuzu-cherry spritz and a shakerato will be available, along with milk shakes. And if you're in the mood for something more elaborate, there will be sundaes, an Eton mess, ice cream profiteroles and baked alaska. Ice cream cakes can be ordered to go: *Glace, 1266 Madison Avenue (91st Street), 347-502-6445.*

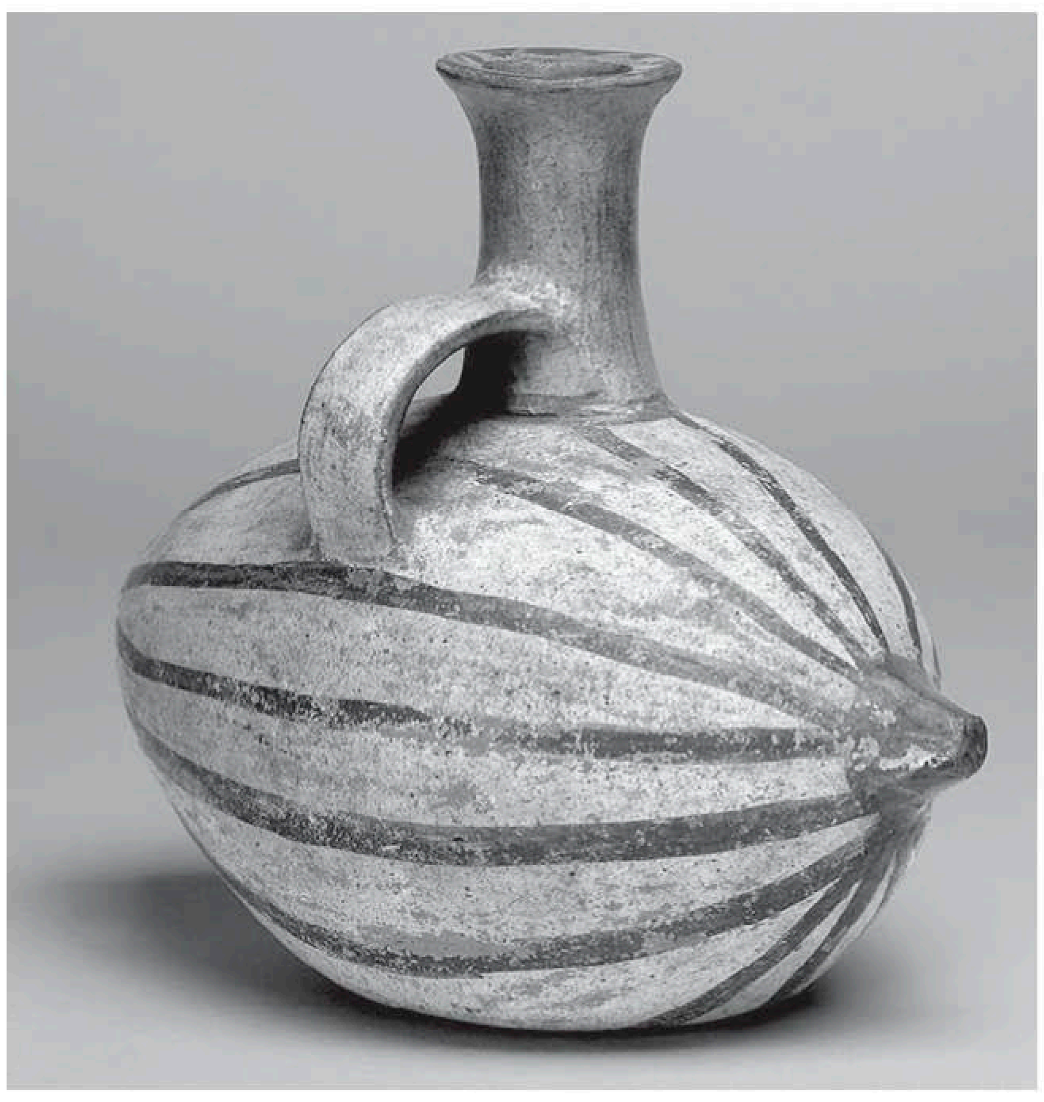
TO UNDERSTAND

From Migrant Worker To National Celebrity

▼ The challenges of rising from a dishwasher to top chef, alongside the story of a rural Mexican family that migrated to and settled in the United States, are detailed in "The Migrant Chef: The Life and Times of Lalo García" by Laura Tillman. For her compelling, well-written biography of the chef and restaurateur Eduardo García, known as Lalo, the author spent five years reporting, researching and traveling. Mr. García is a celebrity chef in Mexico, but his name does not have the currency of Enrique Olvera, the internationally renowned Mexican chef who was Mr. García's mentor and previous employer. But her subject was no mere kitchen grunt: From childhood he showed an uncommon knack for preparing food that others readily recognized. Threaded through his story and that of his family is informa-



tion that broadens the book's scope: Ms. Tillman discusses the history of Mexican food, farmworker conditions in the United States, Mexican politics and earthquakes, and the inequities and challenges of the restaurant business. The book has only two photos of Mr. García; one, on the cover, shows him from the back, and another, inside, shows him as a toddler: *"The Migrant Chef: The Life and Times of Lalo García" by Laura Tillman (W.W. Norton, $30).*



TO VIEW

Food and Drink Through the Ages

▲ The dining detritus that archaeologists discover — call them leftovers — often leads to a better understanding of ancient civilizations and their habits. This week the Penn Museum at the University of Pennsylvania inaugurates an exhibition about food and drink with artifacts like carbonized fruits and nuts from Switzerland; strawberry seeds more than 6,000 years old; vestiges of winemaking from the Early Bronze Age; and ancient potatoes, beans and corn from Peru (as well as the 3,000-year-old vessel above, found in Peru). Related plants are on view in an interior garden and outdoors: *"Ancient Food & Flavor," from Saturday through fall 2024 (except Mondays), Penn Museum, 3260 South Street (South 33rd Street), Philadelphia, 215-898-4000, penn.museum.*

TO SEAR

Fresh Summer Meats Straight From Spain

➤ How about something new for the grill? Campo Grande, a company that imports cuts of succulent, dry-cured and fresh Iberico pork from Spain, offers a grilling assortment that contains a flank steak, a boneless loin roast, a two-pound hunk of coppa (neck meat) and St. Louis-style ribs — nearly seven pounds of meat. Because this is Iberico, it can be cooked medium or medium-rare. Slice the seared flank steak thin, perhaps for tacos; slowly grill or roast the loin, or slice it and grill individual slabs; smoke the coppa or roast it; and you know how to handle ribs. The cuts are also sold individually, though the ribs won't be available until late summer. The meat comes frozen: *BBQ Grillmaster Box, $149, eatcampogrande.com.*

CHRIS STERBANK AND MAX NEVINS (APERITIF); EMON HASSAN FOR THE NEW YORK TIMES (ICE CREAM); W. W. NORTON & COMPANY (BOOK); PENN MUSEUM (VESSEL); CAMPO GRANDE (MEAT)

GENEVIEVE KO

The Summery Scent of Charred Chicken

Cooking over moderate heat can yield a tender meal.

IN HER BOOK "Gulp: Adventures on the Alimentary Canal," Mary Roach explores how we taste and explains how we can perceive five main flavors but infinite smells. "Eighty to 90 percent of the sensory experience of eating is olfaction," she writes.

That's why grilled chicken legs taste especially good in summer, when their smokiness mingles with the fragrance of sunscreen and ocean air, grass and beer. It's an aroma that takes me back to church picnics and others to block parties, the sort of gatherings where you're with your community — not necessarily friends or compatriots, or even people you like, but the humans who make life fuller and a little less lonely.

That immediately recognizable charred chicken scent transports anyone who smells it to good times — and is worth recreating. The best way is to start with skin-on pieces, ideally legs or drumsticks. As the chicken heats up, the fat in and under the skin renders, sizzles and releases the meaty haze that pulls at an urgent, primal hunger.

The trick is to lightly char the skin to a crackling dark brown, while making sure the meat is fully cooked and juicy. When the fat drips into the grill, it causes flames to lap around the chicken. If the pieces end up engulfed in live fire, they become inedible, with the skin burned to an acrid ash around cold raw meat.

Some avoid that outcome by using indirect heat, slowly cooking chicken over a part of the grill without coals or with a burner turned off. With this method, there's no chance of flare-ups. But it also results in skin that's soft and stretchy like a spent rubber band and meat that's tight.

For tender skin-on chicken you want to eat, you need to grill it directly over coals or propane burners. Starting with moderate heat helps the meat cook all the way to the bone and lets the fat melt slowly so the skin ends up pleasantly thin and a little crackly. Keeping the grill covered also allows the meat to lose its rawness evenly and prevents the fire from raging up. To prepare for any persistent flames, leave a section of the grill unheated and move any pieces over it if they light up like candles.

Coating the chicken in a thin sheen of oil encourages the skin to crisp without burning it. Because fire lends its own flavor, the chicken really doesn't need anything more than salt and pepper, but if you want a little sweetness, savoriness and spice, you can brush on a simple soy glaze toward the end of cooking instead of marinating beforehand. (Marinated chicken tends to burn more quickly.) As the glaze heats, it caramelizes onto the skin and seeps into the meat. A final swipe of sauce after it's off the grill gives it a sticky shine for chicken that tastes as good as it smells.

GRILLED CHICKEN LEGS

TIME: 35 MINUTES, PLUS GRILL HEATING TIME
YIELD: 8 TO 10 SERVINGS

For the glaze (optional):
- ½ cup soy sauce
- ⅓ cup granulated sugar
- 2 tablespoons balsamic vinegar
- 1 teaspoon red-pepper flakes

For the chicken:
- 2 tablespoons canola or other neutral oil
- 5 pounds chicken legs or drumsticks or a combination, patted dry
- Salt and black pepper

1. If you're making the glaze, mix the soy sauce, sugar, vinegar and red-pepper flakes until the sugar dissolves. The glaze can be refrigerated in an airtight container for up to a week.

2. Prepare the chicken: Rub the oil all over the chicken, then sprinkle with salt and pepper. Wrap any flaps of excess skin around the meat.

3. To cook chicken on a gas grill, heat the grill to medium. When the grill is hot, turn off one burner, and clean and grease the grate. Place the chicken on the grate over the heated burners skin side down. Cover and cook, flipping once, until golden brown, 12 to 15 minutes. If you're not glazing the chicken, continue cooking, covered and flipping once, for 5 to 7 minutes longer. If the skin isn't browning, turn up the heat. If flames flare up over the chicken, move the meat briefly over the unlit burner.

4. If you're glazing the chicken, brush the meat with the glaze and turn the pieces over. Cover and cook for 2 minutes, then continue brushing, turning and cooking, covered, until you have a spoonful of glaze left and the skin is burnished, 8 to 10 minutes total. A meat thermometer should register 165 degrees.

CHRISTOPHER TESTANI FOR THE NEW YORK TIMES. FOOD STYLIST: SIMON ANDREWS.

5. To cook chicken on a charcoal grill, heat charcoal, then spread over two-thirds of the grate when they ash over. When you can hold your hand 5 inches above the coals for 5 to 7 seconds, place the chicken on the grate over the coals skin side down. Cover, with the top vents halfway closed, and cook, flipping once, until golden brown, 10 to 12 minutes. If you're not glazing the chicken, continue cooking, covered and flipping once, for 5 to 7 minutes longer. If you're glazing the chicken, brush the meat with the glaze and turn the pieces over. If flames flare up over the chicken, move the meat briefly over the side without coals. Continue brushing and turning uncovered for 8 to 10 minutes, until you have a spoonful of glaze left and the skin is burnished. A meat thermometer should register 165 degrees.

6. Transfer the chicken to a serving platter and immediately brush with the remaining glaze.

For a Chile Con Queso Like No Other

CONTINUED FROM PAGE D1

llas. Customers tear off bits of tortilla and plunge them through the thick cheese layer to unearth diced roasted chiles simmered in their own tangy, spicy liquor.

"That's the traditional Mexican preparation style," said Josefina Garcilazo, Chope's head chef, in Spanish. She represents just a handful of people who have been entrusted with this 80-year-old family recipe, which dates to forebears in Copper Canyon, Mexico.

"Queso Velveeta is," she said, "gringo."

Ms. Garcilazo works from a small galley kitchen inside the restaurant, the former home of its founders, Longina and Margarito Benavides. They named it Chope's after their son, José Benavides, called Chope for his uniform of overalls, or chopos. Chope Benavides and his wife, Lupe, the originator of the chile con queso recipe, took over in the 1940s. Their daughters, Margarita Martinez, Amelia Rivas and Cecilia Yañez, now own the restaurant.

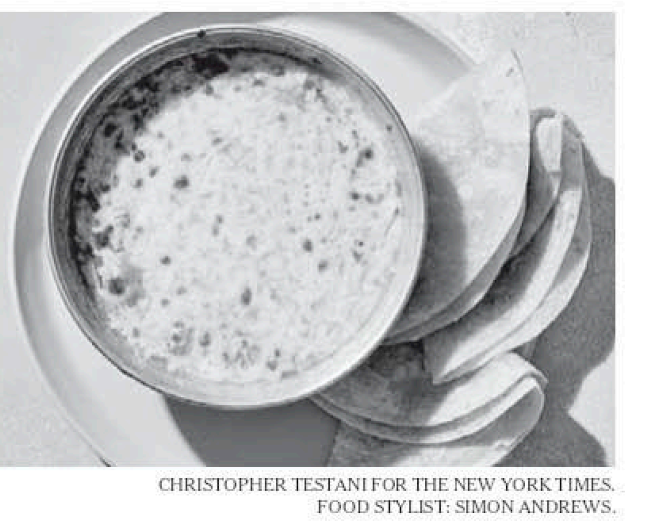
D.J. Martinez, Ms. Martinez's son and a fourth-generation manager with his brother Michael Martinez, said he feels duty bound to safeguard his grandmother's recipe, as he does Chope's thick-battered chiles rellenos and sturdy enchiladas.

To him, they're more than just recipes.

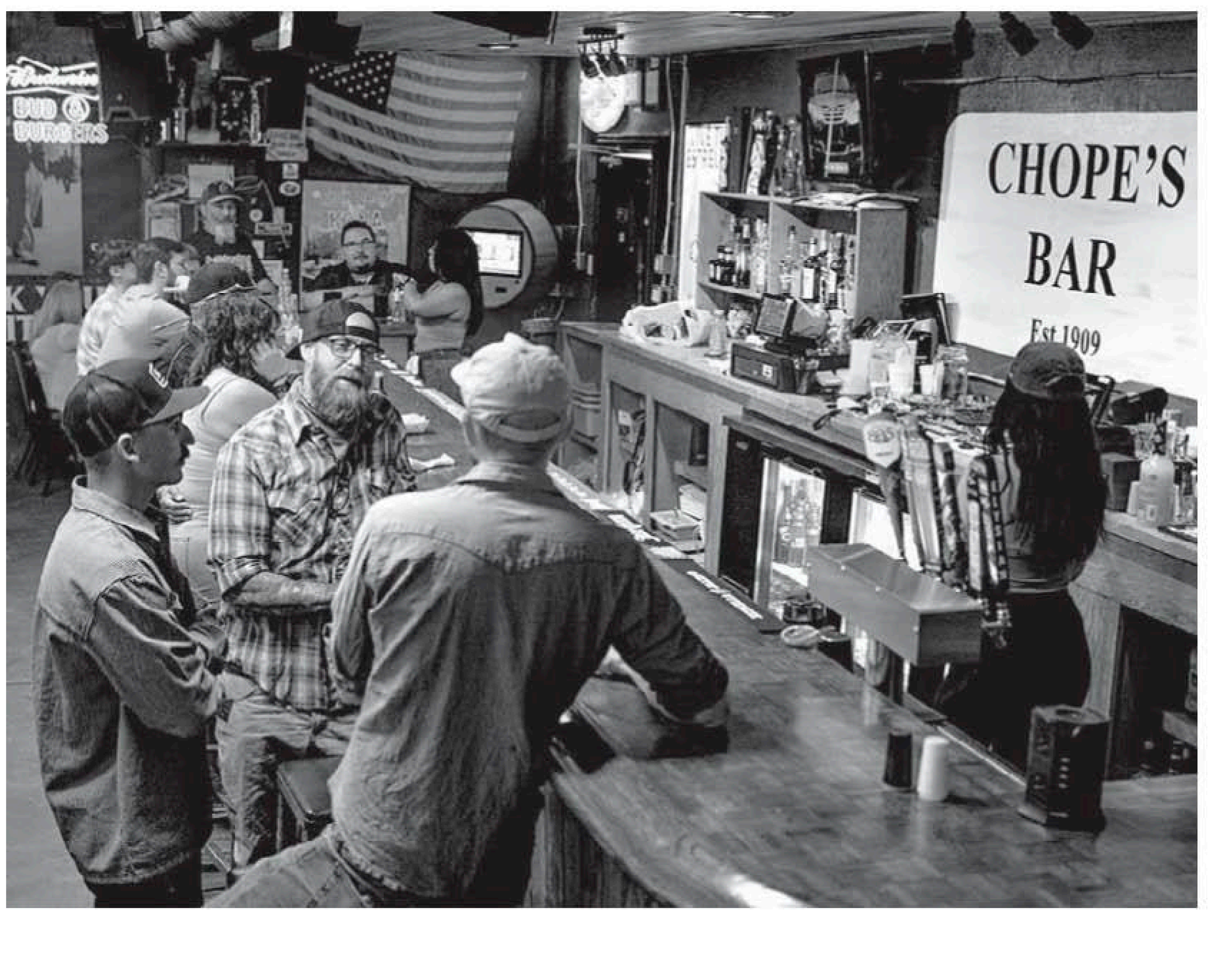
"Do you know what sazón means?" Mr. Martinez said. "Sazón means, like, the culture, the tradition, and the style of cooking all come together and create the flavor. That's kind of what it means; that's why it tastes so good."

PHOTOGRAPHS BY CHRIST CHAVEZ FOR THE NEW YORK TIMES

Right, the chile con queso at Chope's Town Bar & Cafe in La Mesa, N.M., flecked with chiles grown in New Mexico. Clockwise from below center: Josefina Garcilazo, left, and Mariana Amaya in the Chope's kitchen; the chef John Lewis's adaptation, featuring white Cheddar; the bar; Ms. Amaya, an assistant cook, peeling and dicing Joe E. Parker green chiles; a bowl of salsa topped with white Cheddar.



CHRISTOPHER TESTANI FOR THE NEW YORK TIMES. FOOD STYLIST: SIMON ANDREWS.



An El Paso native, the chef John Lewis grew up eating at Chope's, a straight shot up Interstate 10, every other Saturday. And every meal began with queso. "Chope's version exactly translates to how it's read: It's chiles with cheese." Mr. Lewis has tinkered with the simple dish for years and now serves a version at his New Mexican restaurant, Rancho Lewis, in Charleston, S.C.

A gravel lot in New Mexico is home to a recipe that inspires chefs and taste buds.

Chope's chile con queso starts with meaty, Anaheim-esque Joe E. Parker green chiles, which are grown and roasted in Las Cruces and Hatch — the center of chile production in New Mexico. Mariana Amaya, an assistant cook who has worked at Chope's for 35 years, peels and dices them before simmering them — perhaps with chicken stock or onions?

Ms. Amaya makes all of Chope's salsas, including three five-gallon containers per day of the base for its chile con queso and chili con carne. She is the caretaker of an industrial grater that's also been here for 35 years, on which she grinds 50-pound blocks of white Cheddar daily before heaping a towering pile atop each bowl of salsa, the same way she has for decades.

"The cook is what makes the chile con queso special," Ms. Amaya said, in Spanish. "I love my job."

CHILE CON QUESO

RECIPE FROM JOHN LEWIS
TIME: 15 MINUTES
YIELD: 2 TO 3 SERVINGS

- 1 cup roasted, chopped Hatch green chiles with their liquid (about 8 ounces), preferably frozen and thawed (see Tip), or jarred or canned
- 1½ teaspoons powdered or granulated chicken bouillon (see Tip)
- 1 teaspoon lime juice
- ¾ cup shredded semisoft cheese (preferably a mixture of asadero and Chihuahua, or simply Muenster)
- Hot, fresh flour tortillas, for serving

1. In a small, heavy-bottomed saucepan, combine the chiles and chicken bouillon and bring to a simmer over medium-high heat, stirring once or twice. Do not bring to a boil or you may lose too much liquid. The final consistency of the chile broth should be similar to a loose stew.

2. Remove from heat and stir in the lime juice. Pour the mixture into a broiler-safe medium bowl or serving dish and top with the shredded cheese.

3. Broil on high about 6 inches from the heat source until the cheese is completely melted, 2 to 4 minutes.

4. Serve with hot, fresh flour tortillas.

Tips: If using frozen chiles, make sure to keep the liquid that's released as they thaw.

Canned or jarred chiles often have added salt. If your chiles do, use only ¾ teaspoon chicken bouillon.

OFF THE MENU | FLORENCE FABRICANT

HEADLINER The Migrant Kitchen Central Park

When it established its flagship restaurant on the Upper West Side a little more than a year ago, the Migrant Kitchen put an element of the business of hospitality on its marquee — recognizing the cooks, servers and others who are often recent arrivals in the United States. The company, which started with pop-ups and catering pre-Covid and opened locations in Brooklyn and on the Upper East Side, is now bringing its eclectic menu to Central Park. It has moved into what is popularly known as the Ballfields Cafe, a building just north of the Heckscher Ballfields at 65th Street. Dan Dorado, who founded Migrant Kitchen with Nasser Jaber and Jaclinn Tanney, said the kitchen space offered enough muscle for them to serve hummus and sandwiches like a lamb torta, roast turkey with halloumi and avocado, and shawarmas of chicken or cauliflower. They're also offering a burger, a hot dog and a "corn" dog, a hot dog topped with esquites. Soft drinks, coffee and soft-serve are available. There are about 40 seats outdoors, many shaded by umbrellas and trees. Mr. Dorado said he hoped they could remain open through marathon weekend in early November: *Ballfields Cafe, Central Park at West 65th Street, themigrantkitchennyc.com.*

MICHELLE V. AGINS/THE NEW YORK TIMES

OPENING

The Golden Swan The West Village townhouse that was home to the gastro pub the Spotted Pig, which closed in 2020 in the wake of a sexual harassment scandal, has turned a page. The restaurateur Matthew Abramcyk, one of many who tried to acquire the building and now owns it, claims to have created "a classic New York restaurant," whatever that means. A hundred or so years ago there was a Golden Swan at West Fourth Street and Sixth Avenue that was said to have been frequented by writers like Eugene O'Neill and painters, notably the Ashcan School artist John Sloan. This new restaurant is done in vintage style. The ground-floor Wallace Room (named for Thomas Wallace, an owner of the original Swan) has a bar and a limited menu of standard fare like baby Gem salad, salmon rillettes, tuna niçoise, steak tartare and a version of tagliolini carbonara with peas. The second-floor dining room will offer a more elaborate experience when it opens next month. The chef, Doug Brixton, who worked with Daniel Boulud, had previously been the replacement for Markus Glocker at Bâtard: *314 West 11th Street (Greenwich Street), 212-597-2681, tgsnyc.com.*

Moono Another contribution from Hand Hospitality is this second outing from Hoyoung Kim, whose tasting menu restaurant Jua has a Michelin star. Here Mr. Kim treads a more casual path with an à la carte menu representing different categories of Korean cooking like ssam wraps, jeon pancakes and sotbap rice dishes. Cocktails feature Korean spirits, and the wine list tilts natural and Burgundian. The restaurant, on two levels, occupies the landmark building built in 1889 that housed the Grolier Club, now on East 60th Street. To the setting with high ceilings and skylights the designer Junho Choi of Two Point Zero has added works from the Korean artist Ancho. Eventually there will be an intimate chefs counter on the third floor. (Opens Wednesday): *29 East 32nd Street, 646-429-8309.*

Il Terrazzo by Nordstrom The outdoor patio at Bistro Verde, the fifth-floor restaurant in Nordstrom's women's store on West 57th Street, has opened as a summer oasis. The orange-hued décor is inspired by Aperol, which is mixed into the spritzes and used for the sorbet by Il Laboratorio del Gelato. Snacks like polenta fries, tomatoes with burrata and fried calamari are served. There's even a bocce court: *225 West 57th Street, 212-295-2187, nordstrom.com.*

Blue Box Café by Daniel Boulud at Tiffany & Company In the newly reopened flagship store, breakfast (a continental option for $32 and a more elaborate spread for $58), afternoon tea ($98) and an à la carte menu are served from lunch through early supper in an airy, bejeweled Tiffany blue setting designed by Peter Marino. There's also an intimate room for private parties: *727 Fifth Avenue (57th Street), 212-597-9020, blueboxcafenyc.com.*

Heladeria de Ernesto's by Morgenstern's A collaboration between Ryan Bartlow, of Ernesto's, and Nick Morgenstern has produced a summer ice cream cart featuring Basque flavors in front of Mr. Bartlow's restaurant. Egg custard, Basque cheesecake, chocolate turrón and caramel flan are some of the options: *259 East Broadway (Montgomery Street), 646-692-8300, ernestosnyc.com.*

Christian's by Wölffer Estate Marc Wölffer and his sister, Joey Wölffer, have renamed their Wölffer Kitchen restaurant in Amagansett, N.Y., in memory of their father, Christian Wölffer. The décor is richer, and there is a memory wall of photos. The new menu includes a bouillabaisse, grilled Wagyu sirloin with green peppercorns, herb-crusted Montauk tuna and chicken paillard. Many wines are from the nearby Wölffer Estate: *4 Amagansett Square (Main Street), Amagansett, N.Y., 631-267-2764, christiansbywolffer.com.*

More restaurant news is online at nytimes.com/food.

RESTAURANTS | PETE WELLS

Delivering Us From Our Duck Deficit

A great dish has been hard to find in the city. Not anymore.

PHOTOGRAPHS BY EVAN SUNG FOR THE NEW YORK TIMES

NEW YORK'S PEKING DUCK enthusiasts have had reason to be on edge lately. In the fall, a kitchen fire knocked down Decoy, the small, sunken rathskeller below RedFarm in the West Village that once served what many people considered the finest version of the dish in the city. The restaurant is expected to survive, but it probably won't reopen until this summer.

The fire followed the Covid closings, when Peking duck — almost the definition of a restaurant dish — was impossible to find. And the pandemic came right after the failure and bankruptcy of the Midtown beachhead of DaDong, a Beijing-based chain that couldn't seem to replicate the formula that makes its lean, golden birds so widely respected in China.

But there is good news at last. Juqi, in Flushing, Queens, is the first United States edition of a restaurant with about 20 locations in Beijing, all of which specialize in the cuisine of that city. And while it is nice to have a new place to eat zha jiang mian and jiaozi, not to mention cumin lamb and crab-flavored fish, the most impressive item on the menu is the Peking duck. I don't know another restaurant in the city that clears the classic Peking duck hurdles — all the fine points of roasting, carving and serving — so consistently and satisfyingly.

Juqi is inside the hotel and condominium complex called Tangram, in a skylit mall with two levels. Upstairs is a beer hall; a sprawling branch of a hot-pot restaurant from Chengdu; a branch of the Thai restaurant Zaab Zaab from Elmhurst, Queens; stalls for banh mi and Hong Kong-style egg tarts and matcha soft serve; and a vending machine that sells toy robots.

Juqi is on the lower level, along with an Orangetheory Fitness center, an indoor playground, a branch of Xi'an Famous Foods and an H Mart that is still under construction. Alongside the entrance to Juqi is a sculpture of a sofa occupied by what appears to be a giant rabbit.

Like other new restaurants nearby that cater to the same young Chinese students and professionals who might buy a condominium in downtown Flushing, Juqi uses something like theme-park architecture to evoke a traditional China that is rapidly disappearing. In the case of Juqi, the scenes being recreated are Beijing's hutongs, neighborhoods of alleys and courtyards where something of the city's old culture survives. This means that in addition to the expected hanging lanterns and carved wooden screens, a partial brick wall runs through the main dining room, its nooks inhabited by life-size replicas of pigeons.

The restaurant is also populated with figurines of Tu'er Ye, a rabbit-headed minor deity. (That was Tu'er Ye on the couch.) Tu'er Ye's cult is said to be unique to Beijing, where he is worshiped during the Mid-Autumn Moon Festival. Juqi has contributed a tradition of its own to the cult, a Tu'er Ye made of cold mashed potatoes that stands several inches tall, its pointed ears and other features precisely drawn with colored cake-decorating gel. It is filled with bacon and sweet peas, is surrounded by a creamy roasted-sesame mayonnaise, and tastes almost exactly like German potato salad.

Mr. Rabbit Mashed Potato, as the dish is known, is not the only visual allusion to the culture of China's capital. Juqi's mock pig-intestine sashimi, devised in homage to a joke by a Beijing comedian, seems not to have made the trip to Queens, for better or worse. But black drums of fried rice, served in a two-foot-high column of flame, recall the honeycomb charcoal briquettes that older Beijingers remember as the main source of household heat. Wandou huang, lightly sweet cakes of yellow split-pea flour, are molded into minutely detailed mahjong tiles.

Both are pleasant enough, but easily my favorite optical illusion at Juqi is the sweet and juicy shrimp balls that are rolled in puffed grains of red yeast rice so they look like lychees.

Chuanming Zhu, the chef, gives fine renditions of delicate dishes that originated in the imperial court. Zhua chao yu pian, or sweet fried fish fillets, are coated in a sauce the color and consistency of maple syrup; garlic helps keep the sweetness from becoming cloying. Crab-flavored fish, created more than a century ago to satisfy the dowager empress's craving for crab when there wasn't any around, is a minimalist marvel — tender egg whites and yolks, cooked separately, with ribbons of sole. It is entirely crab-free except for the crab-shaped clay pot it's served in.

More rugged Northern Chinese dishes appear, too, like the aromatic cumin lamb sizzling on a ridged iron plate that draws off the melted fat that sometimes makes the dish too rich. Beef brisket is cooked to tenderness with fried potato chunks in a wintry stew flavored with star anise and cinnamon; dry-fried beef is cooked with threads of dried chiles and green clusters of fresh Sichuan peppercorns, which taste more lemony than the dried berries.

If you're interested in kung pao chicken, you should know that it is made with more sugar than a Sichuan chef would use, reflecting the Beijing sweet tooth.

There are also good versions of Beijing street foods like the sturdy jiaozi dumplings stuffed with pork, shrimp and Chinese leeks, with the standard dipping sauce of soy and garlic vinegar; or zha jiang mian, wheat noodles dressed at the table in a savory minced-pork-and-pine-nut sauce and tossed with fresh vegetables.

But just about anything you eat at Juqi will probably turn out to be a side dish once the Peking duck arrives. A squad of waiters wearing Bluetooth earpieces will put down their iPad menus and converge on your table, briskly rearranging plates and bowls to create a smooth runway where the duck can land. Meanwhile, a chef with a long, sharp blade will disassemble the bird — slice, slash, stroke — as fluidly as a magician shuffling cards.

You can see right away that this duck has been roasted by the book. No gooey white fat has gone unrendered; it has all been transformed into a thin sheet of solid amber. As for the skin, it's so taut you could carve your initials on it.

The first rectangles of skin will be topped with caviar and set on chips of dry toast. My advice: Leave the toast, take the caviar.

Other slices of duck will be splayed out on platters. It's fun to dip a corner of skin in sugar. The meat can use the help of Juqi's soybean sauce, saltier and less sweet than hoisin. Or you can wrap both in a tissue-thin pancake with slivers of green onions and sticks of cucumber or, better yet, honeydew melon.

Eventually, you will be interrupted by the remains of the duck, either made into soup or fried into a bony, salty heap. You can try to pry the meat from dark notched fragments of bone, rewarding yourself every so often with another sugary square of skin.

A lot of time can be spent like this before anyone thinks of dessert. The mahjong split-pea paste is worth trying at least once in your life, but I think the most refreshing path, especially if you're remotely serious about taking on the fried bones, is a simple dish of fresh watermelon juice made into a fragile jelly. It is part liquid, barely set, and if you don't have a steady hand, it will slip right off your spoon.

EMAIL *petewells@nytimes.com.*

Clockwise from top: at Juqi in Queens, a particularly confining table; wandou huang, sweet cakes, molded into mahjong tiles; Peking duck skin topped with caviar and set on chips of dry toast; shrimp balls; sizzling cumin lamb; crab-flavored fish; the restaurant, on the lower level of a food court and shopping center; and Yafeng Zhen, the chef in charge of Peking duck, carving one for awaiting diners.

JUQI ★★

133-36 37TH AVENUE (COLLEGE POINT BOULEVARD), FLUSHING, QUEENS; 929-608-9797; JUQIUSA.COM

Atmosphere The large dining room and several side rooms evoke the hutongs, old neighborhoods that are the heart of residential Beijing.

Service Brisk, efficient, Bluetoothed.

Sound level Moderate.

Recommended Half or whole Peking duck; stewed beef and potatoes; crab-flavored stir-fried egg and fish; sautéed Chinese cabbage with sour sauce; braised beef with pepper sauce; homemade dumplings; Mr. Rabbit mashed potato; fried sweet-and-sour sea bass; royal-style barbecue lamb; Juqi crispy shrimp; Taste of Beijing appetizer platter; watermelon jelly; mahjong pudding.

Drinks Soju, beer and a very limited selection of wine.

Prices Appetizers, $6 to $28; main courses, $28 to $109.

Open Daily for lunch and dinner.

Reservations Accepted.

Wheelchair access The dining room and accessible restrooms are on the lower level of a food court, which can be reached by elevator or ramp from the street.

What the stars mean Ratings range from zero to four stars. Zero is poor, fair or satisfactory. One star, good. Two stars, very good. Three stars, excellent. Four stars, extraordinary.

WHERE TO EAT | NIKITA RICHARDSON

Places to Go Whole Hog (or Fish or Fowl)

Also, a crispy Italian artichoke and creative mocktails.

UNOFFICIAL SUMMER IS officially underway. I'm looking forward to eating outdoors as much as humanly possible before it gets unbearably hot. (I'm a summer agnostic.) That said, it's reader question time and, as usual, my inbox was full of thoughtful and fun requests, including where to go for large-format dining, where to find carciofi alla giudia (Jewish-style artichokes) and where to have great nonalcoholic drinks.

As always, please email your questions to wheretoeat@nytimes.com, and you may see them answered in a future newsletter.

Family-Style Feasts?

One of our favorite things to do with friends is to go out to eat where fixed-menu, family-style dining is offered. We recently ate at Momofuku Ssam Bar for the pork shoulder dinner. Can you recommend some other restaurants that offer this experience? JOY W.

Francie, in Williamsburg, Brooklyn, has a whole roast duck for $135 that's presented with various flora before it's carved up. It's definitely worth ordering if you can afford it, especially the soppressata jam that, I agree with Pete Wells, is good enough to lick off "a stack of junk mail." **Peasant**, in NoLIta, will serve you a family-style whole pig roast with antipasti, sides and dessert for $125 per person, given at least four days' notice and provided there are six or more people in your party. And **Monsieur Vo**, in the East Village, has a few big-format dishes, including a whole sea bass that's market-priced, and the Monsieur Platter ($48), which includes four types of meat skewers with the option to add more, as well as sides like vermicelli and roasted peanuts that you then assemble into your own bites. We call that fun with food.

Finding Carciofi alla Giudia

Just spent a week in Rome, where I fell in love with Roman artichokes, Jewish-style. Ate them several times that week. Where can I find them in N.Y.C.? LISA S.

I ate this exact type of deep-fried artichoke spritzed with lemon juice and dressed with mint and red chile flakes at **Bottino**, in Chelsea, a few weeks ago. The occasion? My sister's wedding! Talk about kismet.

Not Alcoholic, Not Boring

As I have recently had to stop drinking alcohol for health reasons, I was hoping you can send me to the restaurants with the most creative nonalcoholic beverage programs. I can drink only so much sparkling water! IRA L.

I wasn't quite sure if you were looking for nonalcoholic drinks that were mimicking cocktails, or just very creative nonalcoholic drinks. So, I have recommendations for both. I see the phony Negroni from the Brooklyn distiller St. Agrestis on a ton of menus and, as a Negroni obsessive, I endorse it as an alterative.

El Quijote has a version of the restaurant's famous sangria that's cheekily called Santa Sangre, as well as a G&T without the G. And the eternally excellent **Gramercy Tavern** has nonalcoholic red wine and a nonalcoholic cocktail list that's four options deep, including two seasonal spritzes (strawberry-rhubarb and green apple-fennel at the moment).

In the category of creative drinks, there's **abcV**, Jean-Georges's health-leaning restaurant in the Flatiron district. Between bites of your mushroom-walnut Bolognese you can sip on any number of "juices, tonics and vibrations." I'd choose Root Reboot because lemon and ginger are my life, though a pollen shake might be the best way to toast the dustiest spring ever.

Or if you'd prefer to have some pork al pastor, **Atla**, in NoHo, has an impressively long and delicious list of six agua frescas that range from the traditional hibiscus to a more experimental yuzu avocado.

GREG RHEIN

ERIC MEDSKER

Fried artichokes with lemon, mint and chile flakes at Bottino, left, and Santa Sangre at El Quijote.

Francie, 136 Broadway (Bedford Avenue); Peasant, 194 Elizabeth Street (Spring Street); Monsieur Vo, 104 Second Avenue (East Sixth Street); Bottino, 246 10th Avenue (West 24th Street); El Quijote, 226 West 23rd Street (Seventh Avenue); Gramercy Tavern, 42 East 20th Street (Park Avenue South); abcV, 38 East 19th Street (Broadway); Atla, 372 Lafayette Street (Great Jones Street)

Sign up to get Nikita Richardson's restaurant recommendations in your inbox every Tuesday, only for Times subscribers: nytimes.com/where-to-eat

Making Diners Say, 'Let's Eat Out'

CONTINUED FROM PAGE D1

author who divides his time between Louisville, Ky., and Washington, D.C.

Mr. Lee saw this month just how much small gestures mean the first day he opened Nami, a Korean steakhouse in Louisville. A woman held the restaurant's oversize, stylized menu to her cheek and murmured, "Oh, a menu!"

In Norcross, a small city north of Atlanta, Alexis Anin just opened Influence, an Afro-Latino restaurant and club where he is trying to make people feel that going out is a better idea than staying home. He made sure the booths feel luxurious and the lighting is flattering but not too dim. He set up a small patio for the Covid-wary who still don't feel comfortable eating inside.

"You have to come up with different tricks to get them to stay in your building," he said. That includes making them feel secure. Even though the neighborhood isn't considered dangerous, he added a security guard at the front door.

"I want patrons to feel safe, so they know they are going to have fun and it won't turn into something," he said.

FUN, HOWEVER, HAS GOTTEN expensive. Eating out cost 8.6 percent more in April than it did a year ago, according to the Bureau of Labor Statistics. At places that add service charges to supplement wages, the sticker shock is even worse.

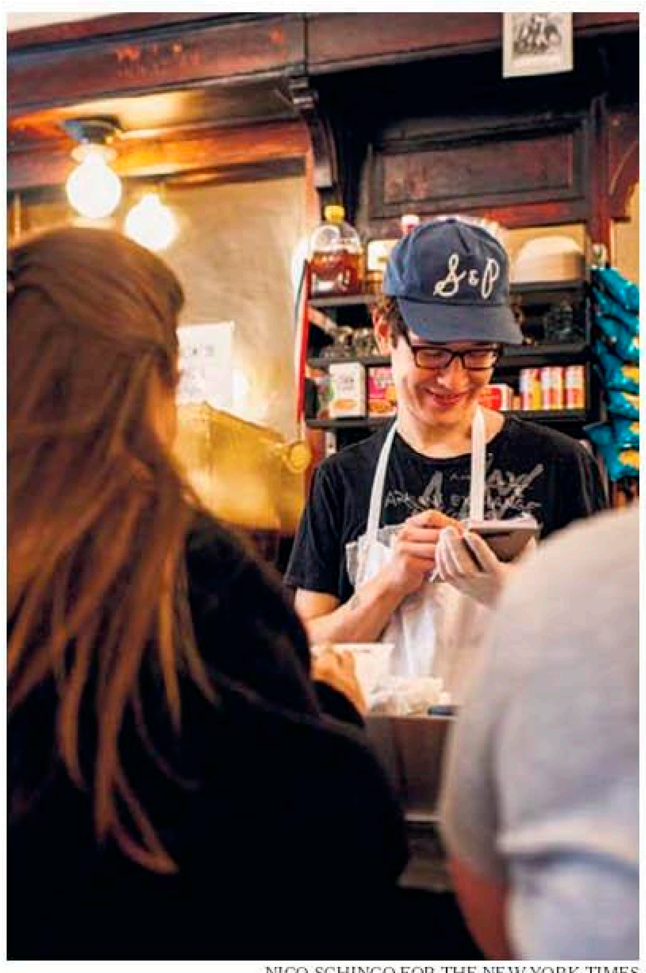
"I want to support all these service-charge initiatives and better working conditions for people," said Liza Dunning, a creative director in the Bay Area. "But also, wow — I am now paying how much for a roast chicken?"

Leann Emmert and Katrina Elder, who work in the film industry, used to spend weekends checking out the newest Los Angeles restaurants. But now that having a couple of drinks and sharing an entree and an appetizer can cost $200 with no guarantee of good service, that's changed. The couple has been largely sticking to a neighborhood restaurant with consistently good food and that everybody-knows-your-name feeling.

LUKE SHARRETT FOR THE NEW YORK TIMES

LEFT AND ABOVE, MELISSA GOLDEN FOR THE NEW YORK TIMES

Top, the chef Ed Lee at his restaurant Nami in Louisville, Ky. Above, Jasmine Owens pouring a Presidente margarita at a Chili's in Buford, Ga.



NICO SCHINCO FOR THE NEW YORK TIMES

MELISSA GOLDEN FOR THE NEW YORK TIMES

LUKE SHARRETT FOR THE NEW YORK TIMES

"I do not want to spend my money at a place that can't figure out how to make people feel cared for," Ms. Emmert said.

Will Guidara, the New York restaurateur who in 2022 published "Unreasonable Hospitality: The Remarkable Power of Giving People More Than They Expect," said the value proposition of eating out has changed. "Great food in the absence of hospitality is not a great value," he said.

But how to teach true hospitality to a new generation of workers who may not even know how to fold a napkin?

Lingo like "86" — which means the kitchen is out of a particular dish — might as well be a new language. Mr. Lee recently explained to a novice waiter that she didn't have to ask a diner's permission every time she refilled the water glasses.

The need for more attentive service hasn't been lost on the executives at Chili's. One measure of how things are going at their 1,129 restaurants are the reports the company compiles about "guests with a problem," or G-WAPs. A year ago, the G-WAP metric rose so much it needed to be addressed immediately. A lack of staff attentiveness was high on the list.

Kevin Hochman, who had just become the chief executive, made some moves. He canceled a pilot program that used robots as servers. He told managers to hire workers to bus tables, a task that in recent years had fallen largely on servers. He simplified both the tablets that servers use to take orders and the way some dishes are prepared and plated.

The aim was to give servers more time to spend with guests.

"When you go out to eat you want to be waited on, and that hasn't changed," Mr. Hochman said. "People pulled back on those expectations a little because of the state of labor and staff, but I think that's kind of over now. They want a fast and fun, inviting atmosphere."

For 16 years, Jasmine Owens has been bartending at the same Chili's where the Marte family was having dinner (which they really enjoyed, by the way).

"Things are, like, night-and-day better," she said. The crew she works with is more cohesive and the customers are happier — especially compared with the early days of the pandemic, when the staff was drowning in takeout orders and customers were so on edge they would scream and throw food.

EVEN CHAIN RESTAURANTS are embracing what even five years ago was considered a radical concept: Kitchen culture has to become kinder and less militaristic, and servers can't pour love on their guests if they don't feel the love at work.

That means better pay, coupled with mental health support, employee affinity groups and amusing extracurriculars that don't center on post-shift drinks.

"Conventional wisdom was 'leave your problems at home and come here to work,'" Mr. Lee said. "Now we kind of do the opposite. Bring your problems to work. Pre-shift and during family meal, I want you to tell me what's going on with you. Is your mom sick? Did your pet die? So if you start acting weird during service, I know why."

It's a time-consuming and less profitable way to lead, at least at first. "But over the long run," he said, "if I am not burning out my staff, they stay longer and I'll save money."

Still, the cost of labor in an industry pressed by inflation and peppered with help-wanted signs can be crushing for restaurateurs.

The era of policing face masks and staying as far away from customers as possible is over.

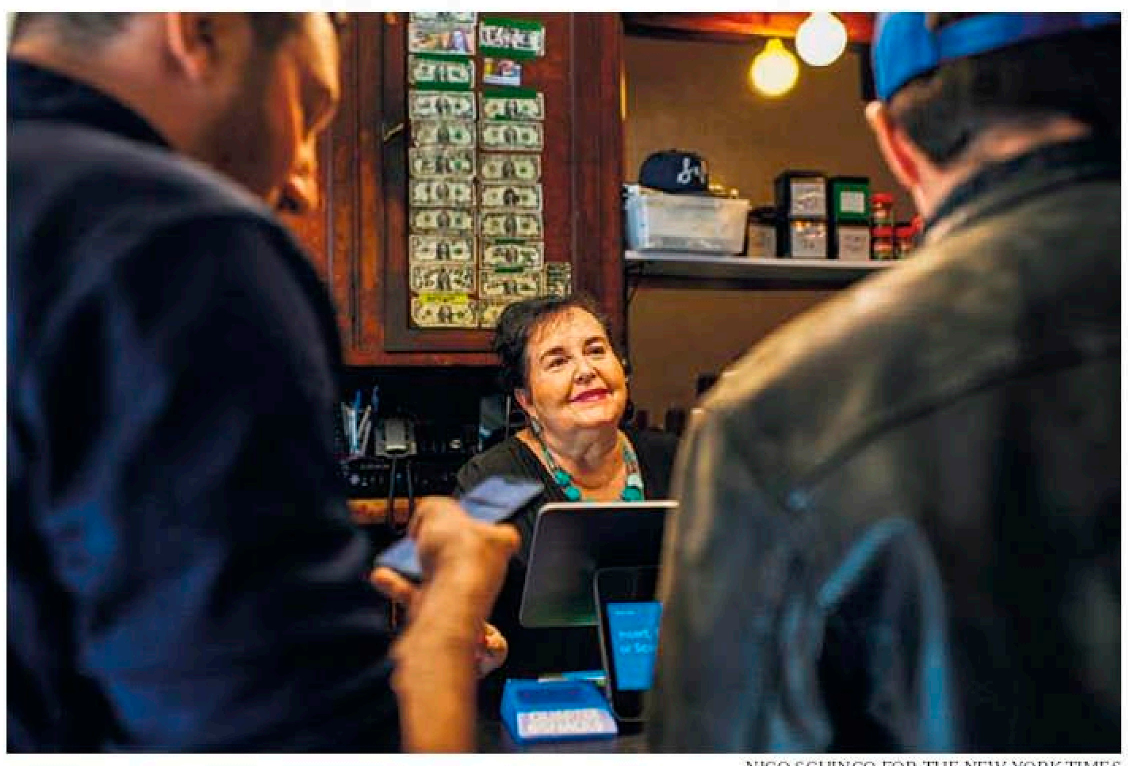
Craig and Annie Stoll, who started the popular pizza-and-pasta restaurant Pizzeria Delfina in the Mission District of San Francisco in 1998, had a hard time finding waiters to work at their newest branch in Palo Alto, in part because they pooled tips in an effort to even out compensation between cooks and servers.

So they devised a waiter-less system in which diners keyed in their own orders, while lower-paid attendants and food runners took care of tables.

"People didn't love it," Mr. Stoll said.

As business picked up, they went back to using waiters, whom they attracted by re-adjusting the tip-pooling formula.

"People were much, much happier," he said. "They wanted that warm service. It's what people crave."



NICO SCHINCO FOR THE NEW YORK TIMES

Clockwise from above: Jodi Freedman-Viera working the cash register at S & P Lunch in Manhattan; Alexis Anin greeting guests at Influence, his new Afro-Latino restaurant and club in Norcross, Ga.; Jerry and Jessica Marte at a Chili's north of Atlanta; taking an order at S & P; Jea Chang and his daughter Chloe at Nami.

SAM HART, THE CHEF who owns Counter- and Biblio in Charlotte, N.C., has taken a counterintuitive approach: putting guests last.

First on the list of what he calls "the seven priorities" are employees and their mental health. The idea is that if a restaurant's whole ecosystem is working smoothly, guests will never know they aren't the priority — a concept much like what the restaurateur Danny Meyer called "enlightened hospitality" in his 2006 book, "Setting the Table."

But Mr. Hart believes that some guests need to know exactly why they aren't the priority. In a recent column in The Charlotte Observer, he took on the entitled post-shutdown diner directly.

"It's gotten to the point where something must be said: an ever-growing portion of inconsiderate guests are destroying the hospitality industry," he wrote. He listed 13 things customers should not do while eating out, including snapping fingers to get servers' attention, threatening to post a negative review and "thinking that you own the place."

Akila Stewart, a server at Gramercy Tavern in Manhattan, doesn't buy the notion that the pandemic created a new class of particularly demanding customers. "You are always going to get someone who is probably having a bad day," she said. "It's just the nature of the business."

She says customers these days are chattier, interested in how she is doing and generally more grateful. "They're more aware that it could be taken away," she said.

At one of Manhattan's oldest and most beloved Jewish lunch counters, it almost did go away. Eisenberg's, which opened in 1928 on lower Fifth Avenue, closed its doors for good during the height of the pandemic.

Eric Finkelstein and Matt Ross, the owners of a small string of sandwich shops called Court Street Grocers, came to the rescue. They took over the deli, renamed it S & P Lunch (after the original owners) and last September reopened the place.

They were careful to keep the old red vinyl stools lining the 40-foot counter, and lightly reworked the big, eccentric menu, which includes what many argue is the best tuna melt in town. To the relief of regulars, the owners rehired Jodi Freedman-Viera, Eisenberg's longtime, unflappable cashier, whom every diner has to pay before they leave.

But most on their crew were new, and many of them started out in hospitality at a time when service meant touchless ordering, policing face masks and staying as far from customers as possible.

At S & P, the style of service is casual, friendly and as analog as possible.

"The conventional business wisdom is telling us everything is the algorithm," Mr. Finkelstein said, "but what people really want is humanism."